



**GLOBAL  
INITIATIVE**

AGAINST TRANSNATIONAL  
ORGANIZED CRIME

**CASE STUDY**

# **EXTORTION AND USURY IN SERBIA**

between 2016 and 2020



**voice**

December, 2021.



Vojvođanski  
istraživačko-analitički centar

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This publication is supported by the Resilience Fund, of the Global Initiative Against Transnational Organized Crime. Any opinions or views expressed in the publication are the responsibility of the VOICE as publication organizers, and are not necessarily the opinions or views of the Global Initiative.

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Front page design and prepress: Sonja Spasojević

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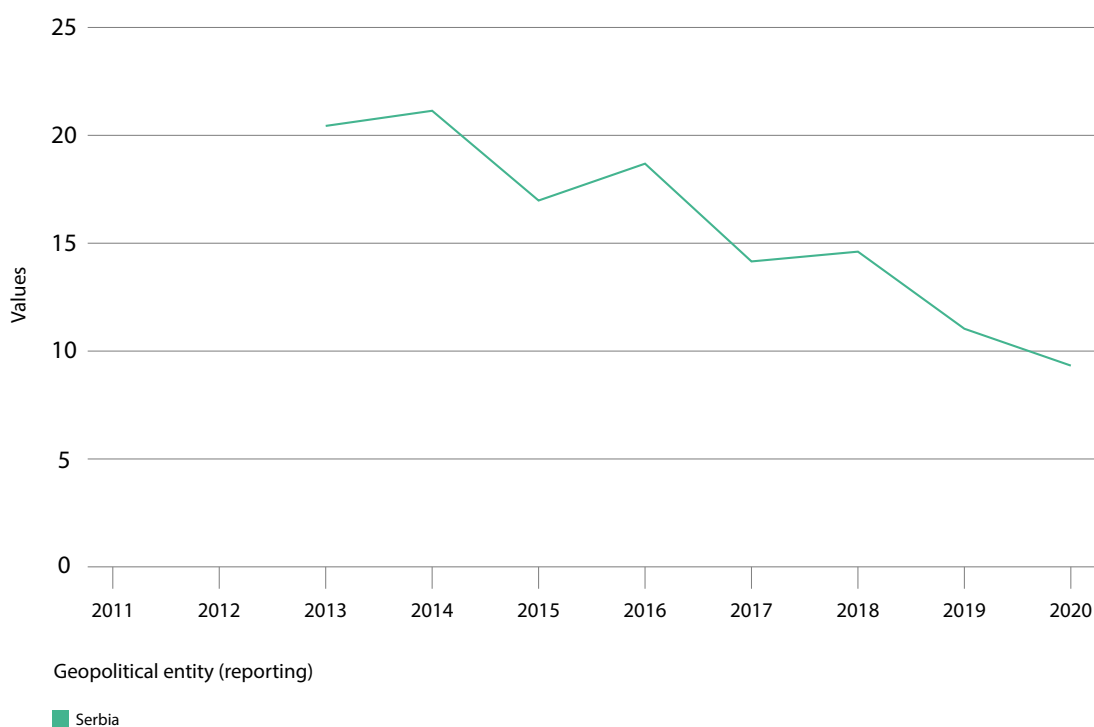
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## ABOUT THE CASE STUDY

This case study is a result of a research that took place between May and November 2021, related to the criminal offense of extortion, as defined by Article 214 of the Criminal Code, and the criminal offense of usury, as defined in Article 217 of the Criminal Code, for the period between 2016 and 2020.

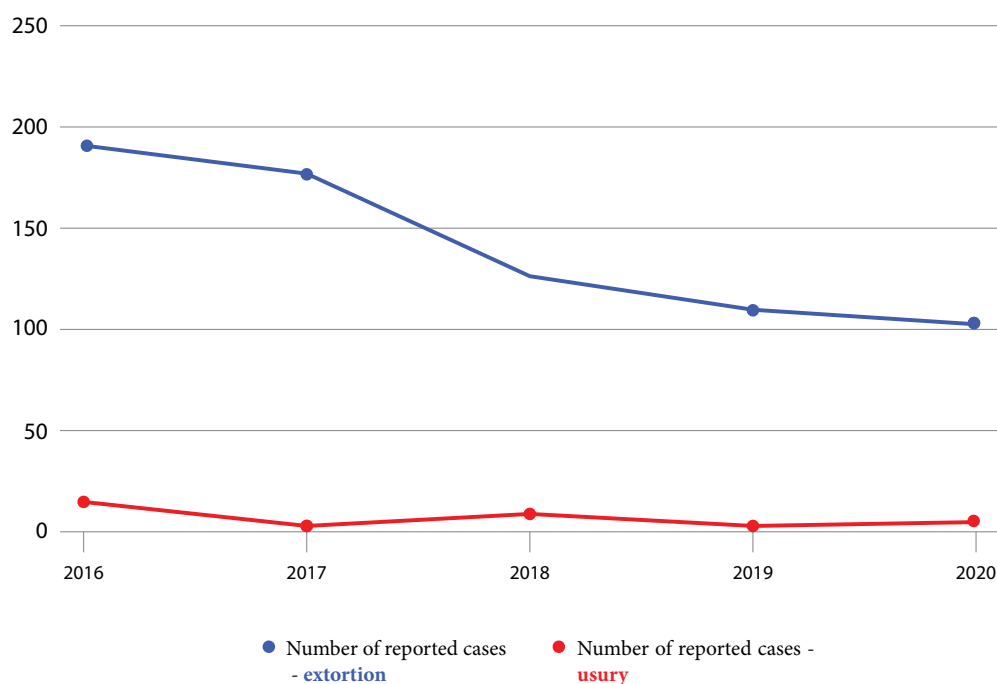
The authors of this study decided to investigate this topic bearing in mind the results that are published annually by Eurostat<sup>1</sup>, which relate to reported crimes, violence and vandalism, whose numbers have been constantly rising in Serbia (Graph 1). According to the results for 2020, Serbia recorded a decline in the number of reported cases by 10.7 percent in comparison with 2013, which means that only 9.5 percent of citizens are ready to report such cases.



*Graph 1. Crime, violence and vandalism in Serbia (2013-2020)*

It was the authors' presumption that it was necessary to create an overview of these two criminal offenses in order to identify cases that had ended up in institutions and in order to create foundation for further research, which should lead to prevention and better protection of citizens. The authors hereby present the results of their investigation and examples of cases present in various parts of Serbia. According to the data received from the Ministry of Interior (Graph 2), there is a noticeable decline in the number of reported acts of usury by 45.55 percent when we analyse 2020 and 2016, respectively, while the decline in the number of reported cases of usury in the same period is 41.67 percent.

<sup>1</sup> Crime, violence or vandalism in the area - EU-SILC survey [https://ec.europa.eu/eurostat/databrowser/view/ILC\\_MDDW03/bookmark/table?lang=en&bookmarkId=c8db1c67-bc47-49dd-a656-da4dc3d8b44b](https://ec.europa.eu/eurostat/databrowser/view/ILC_MDDW03/bookmark/table?lang=en&bookmarkId=c8db1c67-bc47-49dd-a656-da4dc3d8b44b)



*Graph 2. Number of reported cases 2016-2020*

The chapter entitled **Methodology** includes the steps taken to collect data necessary for this study. After the research had been conducted, the methods for improving the methodology used were identified, which would facilitate much more precise results, as well as improve recording of criminal offenses by relevant institutions. Some of the recommendations are presented in the chapter entitled **Conclusion and recommendations for improvement**.

## METHODOLOGY

For the purpose of this case study, we submitted requests for access to information of public interest to 59 public prosecutor's offices, 66 primary courts, 25 higher public prosecutor's offices, 25 higher courts, the Prosecutor's Office for Organized Crime and the Ministry of Interior. The total number of requests sent was 177 and each one has been replied to.

The requests included those for statistical data related to the criminal offense of **extortion** as defined in Article 214 of the Criminal Code and the criminal offense of **usury** as defined in Article 217 of the Criminal Code in the period between 2016 and 2020. Samples of requests with questions are presented in the Appendix of this study.

It is vital to point out the good cooperation with all the aforementioned institutions, whose staff in charge of communication were at the disposal of the team that conducted the research.

Apart from collecting statistical data, we have also processed various examples of cases that had their court epilogue and a selection of those are also presented in this case study as an example of various typologies of the two criminal offenses analysed.

Furthermore, the research team conducted three interviews, with:

- The father of an underage victim,
- A victim of potential extortion (case was not reported to relevant bodies), and
- An expert.

It is worth noting that in the chapter entitled **Results of the Investigation** there is a deviation in the parameters related to the demographics of perpetrators and victims, because some of the relevant institutions were not able to provide the data in question.

The division according to statistical regions was conducted in accordance with Article 5 of the Law on Regional Development.<sup>2</sup>

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<sup>2</sup> Law on Regional Development ([https://www.paragraf.rs/propisi/zakon\\_o\\_regionalnom\\_razvoju.html](https://www.paragraf.rs/propisi/zakon_o_regionalnom_razvoju.html))

## RESULTS OF THE INVESTIGATION

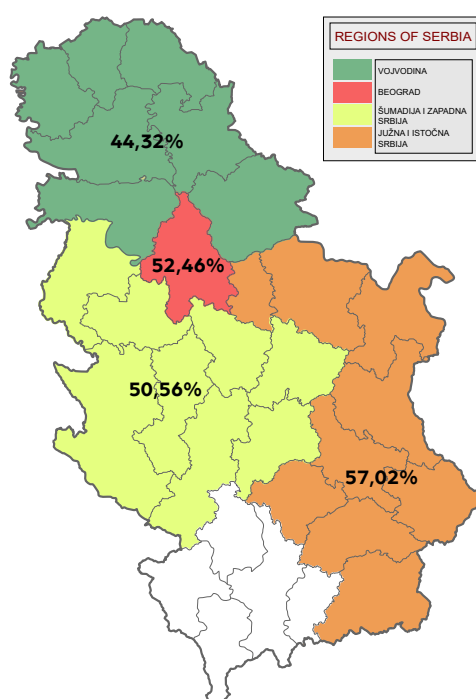
This chapter includes the results obtained through the request for access to information of public importance, while the headings contain the names of relevant institutions. **The Prosecutor's Office for Organized Crime** is not evaluated individually, because it did not act upon the analysed criminal offenses.

### Public Prosecutor's Offices

Based on the analysed data, it has been established that the public prosecutor's offices investigated 943 criminal complaints related to the criminal offense (hereinafter: CO) of extortion, as defined by Article 214 of the Criminal Code (hereinafter: extortion) and that 487 of them, i.e. 51.64%, were dismissed following investigations.

The total number of **convicted persons** was 937, with 859 men (91.68%) and 78 women (8.32%). All perpetrators were of a legal age.

The total number of **injured parties** was 662, with 590 men (89.12%) and 72 women (10.88%). 13 of them were minors.



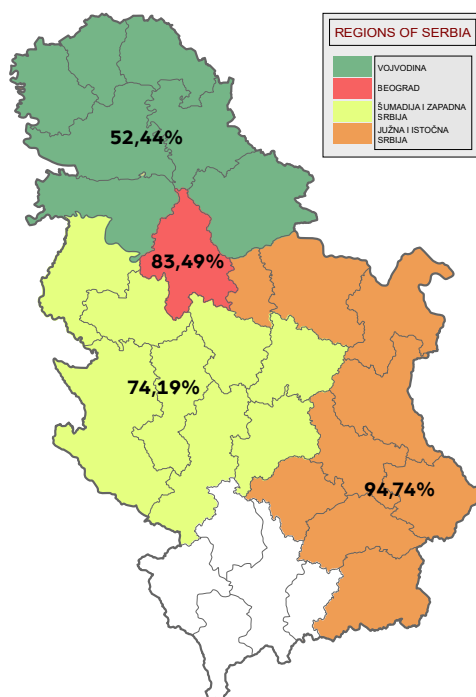
	Number of criminal complaints	Number of dismissed criminal complaints	% of dismissed criminal complaints
Extortion	943	487	51,64%
Belgrade	345	181	52,46%
South and East Serbia	235	134	57,02%
Šumadija and West Serbia	178	90	50,56%
Vojvodina	185	82	44,32%

Picture 1. Map showing CO of extortion according to the region

When it comes to the CO of usury, as defined in Article 217 of the Criminal Code (hereinafter: usury), there were 310 criminal complaints investigated, 234 of which were dismissed (75.48%).

The total number of **convicted persons** was 290, with 267 men (92.07%) and 23 women (7.93%). All perpetrators were of a legal age.

The total number of **injured parties** was 231, with 210 men (90.91%) and 21 women (9.09%). One person was a minor.



	Number of criminal complaints	Number of dismissed criminal complaints	% of dismissed criminal complaints
Usury	310	234	75,48%
Belgrade	109	91	83,49%
South and East Serbia	57	54	94,74%
Šumadija and West Serbia	62	46	74,19%
Vojvodina	82	43	52,44%

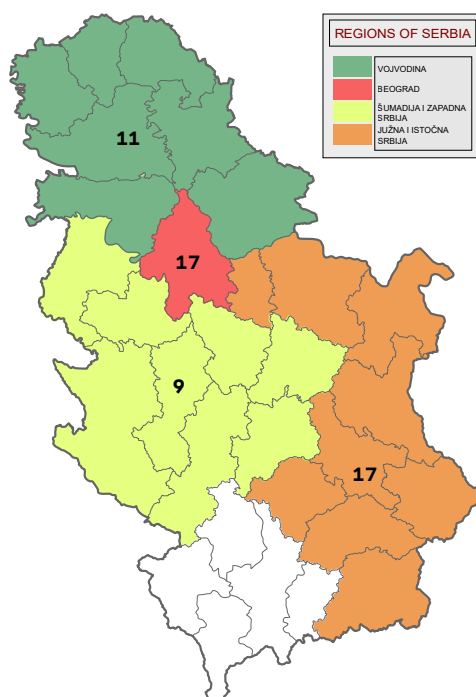
Picture 2. Map showing CO of usury according to the region

### Primary courts

Based on the analysed data, it has been established that primary courts initiated 373 proceedings for the CO of extortion and that 215 cases were classified as a misdemeanour, while 10 of them were classified as a felony. The accused were acquitted in 54 cases, while 34 proceedings were discontinued.

The total number of **convicted persons** was 477, with 452 men (94.76%) and 25 women (5.24%). There were 474 perpetrators of a legal age, while 3 of them were minors.

The total number of **injured parties** was 387, with 317 men (81.91%) and 70 women (18.09%). There were 18 injured parties who were minors.



	Number of criminal complaints	Number of dismissed criminal complaints	Number of convictions - misdemeanour	Number of convictions - felony	Number of acquittals
Extortion	373	34	215	10	54
Belgrade	77	8	45	4	17
South and East Serbia	100	9	50	2	9
Šumadija and West Serbia	92	7	48	3	17
Vojvodina	104	10	71	1	11

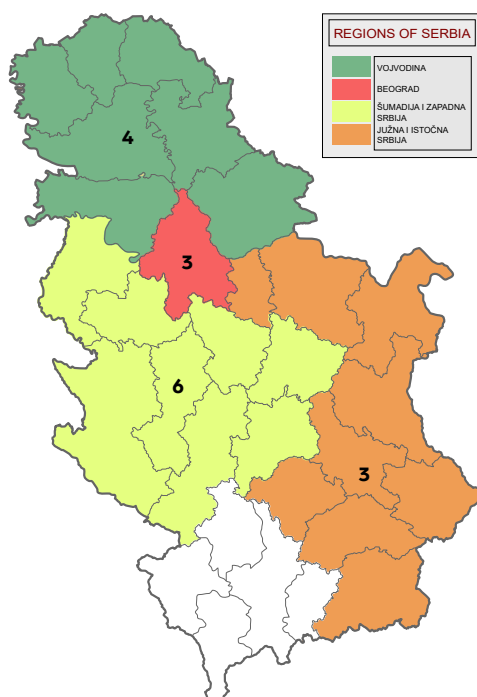
Picture 3. Map showing CO of extortion according to the region



There were 34 proceedings related to the CO of usury. 9 of them ended in a conviction for a misdemeanour, 7 were discontinued, while in 16 cases, the accused were acquitted.

**The total number of convicted persons** was 44, with 41 men (93.18%) and 3 women (6.82%). 39 perpetrators were of a legal age.

The total number of injured parties was 49, with 38 men (77.55%) and 11 women (22.45%). 47 of them were of a legal age.



	Number of criminal complaints	Number of dismissed criminal complaints	Number of convictions – misdemeanour	Number of convictions – felony	Number of acquittals
<b>Extortion</b>	<b>34</b>	<b>7</b>	<b>9</b>	<b>0</b>	<b>16</b>
Belgrade	4	0	0	0	3
South and East Serbia	17	1	7	0	6
Šumadija and West Serbia	5	3	0	0	3
Vojvodina	8	3	2	0	4

Picture 4. Map showing CO of usury according to the region

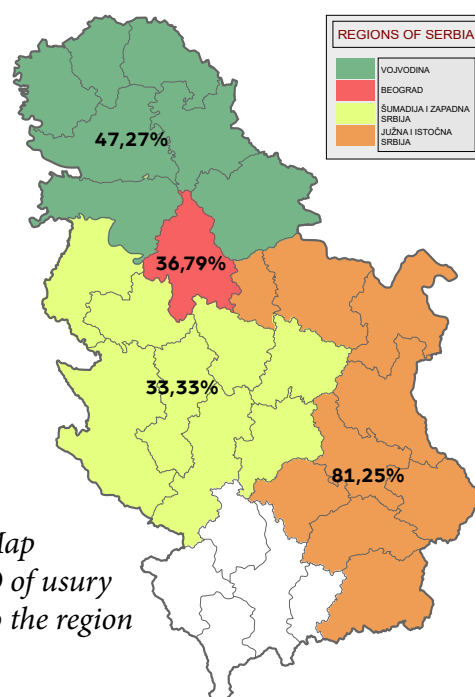
### Higher public prosecutor's offices

Based on the analysed data, it has been established that higher public prosecutor's offices initiated 290 investigations based of reported criminal offenses of extortion and that 131 criminal complaints, i.e. 45.17%, were dismissed following investigation.

The total number of **convicted persons** was 326, with 303 men (92.94%) and 23 women (7.06%). 93 of the perpetrators were minors.

The total number of injured parties was 151, with 133 men (88.08%) and 18 women (11.92%). 73 perpetrators were minors.

**Higher public prosecutor's offices did not act upon the criminal complaints related to the criminal offense of usury.**



Picture 5. Map showing CO of usury according to the region

	Number of criminal complaints	Number of dismissed criminal complaints	% of dismissed criminal complaints
<b>Usury</b>	<b>290</b>	<b>131</b>	<b>45,17%</b>
Belgrade	106	39	36,79%
South and East Serbia	42	14	33,33%
Šumadija and West Serbia	32	26	81,25%
Vojvodina	110	52	47,27%

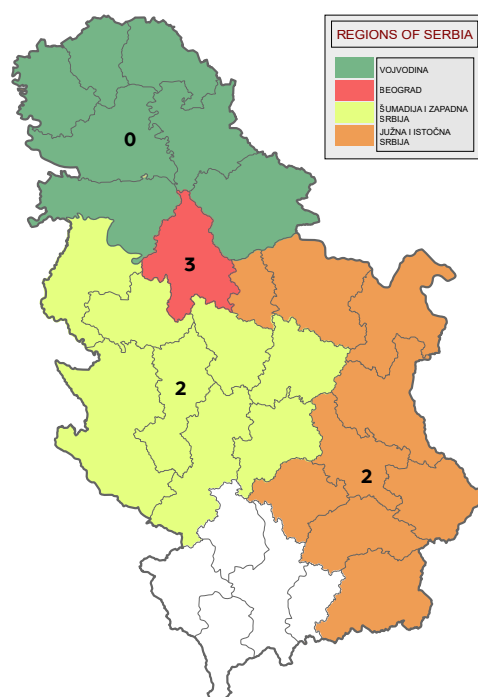
## Higher courts

Based on the analysed data, it has been established that higher courts initiated 95 proceedings related to the CO of extortion and that in 41 of them the perpetrators were convicted of misdemeanour, while in 9 of them the perpetrators were convicted of felony. In 7 cases, the accused were acquitted, while 5 proceedings were discontinued.

The total number of convicted persons was 96, with 92 men (95.83%) and 4 women (4.17%). 38 of them were minors.

The total number of injured parties was 104, with 94 men (90.38%) and 10 women (9.62%). 34 of them were minors.

The higher courts did not act upon the criminal complaints related to the CO of usury in the period in question.



	Number of criminal complaints	Number of discontinued criminal proceedings	Number of convictions – misdemeanour	Number of convictions – felony	Number of acquittals
<b>Extortion</b>	<b>95</b>	<b>5</b>	<b>41</b>	<b>9</b>	<b>7</b>
Belgrade	35	0	6	0	3
South and East Serbia	18	1	7	2	2
Šumadija and West Serbia	6	0	2	0	2
Vojvodina	36	4	26	7	0

*Picture 6. Map showing CO of extortion according to the region*

## Ministry of Interior

The total number of criminal offenses of extortion recorded by the Ministry of Interior in the period in question is 708, while the number of criminal complaints filed was 665. The total number of perpetrators was 950, while there were 724 injured parties.

The total number of criminal offenses of usury recorded by the Ministry of Interior in the period in question is 29, which is also the number of criminal complaints filed. The total number of perpetrators was 33, while there were 36 injured parties.

			2016	2017	2018	2019	2020
Art. 214 of the Criminal Code	Number of perpetrators		239	238	164	153	156
	No. of perpetrators	M	229	231	154	144	149
		W	10	7	10	9	7
	No. of underage perpetrators		57	63	23	43	18
	No. of perpetrators of a legal age		182	176	141	110	139
	Number of victims		203	181	124	110	106
	No. of victims	M	171	156	105	97	89
		W	32	25	19	13	17
	No. of underage perpetrators		66	57	23	30	15
	No. of perpetrators of a legal age		137	124	101	80	91
Art.217 of Criminal Code	Number of perpetrators		11	3	7	3	9
	No. of perpetrators	M	10	3	5	3	9
		W	1		2		
	No. of underage perpetrators		0	0	0	0	0
	No. of perpetrators of a legal age		11	3	7	3	9
	Number of victims		17	2	5	4	8
	No. of victims	M	13	2	5	4	7
		W	4	0	0	0	1
	No. of underage perpetrators		2	0	0	0	0
	No. of perpetrators of a legal age		15	2	5	4	8

*Table 1 - Total number of perpetrators and injured parties, pursuant to Article 214 and Article 217 of the Criminal Code, according to sex and age (minors/of a legal age) recorded on the territory of the Republic of Serbia between 2016 and 2020.*

## CASE STUDIES

### Note:

In order to protect the identity of the injured parties and witnesses, all names and locations mentioned in these case studies have been altered. The courts mentioned in the case studies were named after the regions.

### Extortion with elements of social engineering

#### Primary Court in Šumadija and West Serbia

In 2017, Nenad K. used Instagram to try to deceive Laura K. to send him money. When he failed to achieve his goal, he used threat to extort money from her.

During 2017, Laura communicated with an unknown person via Instagram regarding making profit on alleged investments in betting on sporting events. Interested in making easy money, she sent her mother's personal information following the unknown person's request. The person behind the Instagram account then sent photos of receipts with false information. A payment of EUR 40,000 had allegedly been made on her mother's behalf. The anonymous person behind the account explained to Laura that she needed to pay EUR 470 as soon as possible, so that she could receive a code that would help her withdraw the EUR 40,000 that she had allegedly earned. Laura was sent a phone number she could call to communicate with the person behind the account regarding the payment.

Laura called the number in question and said she did not have the money requested and a male voice sent her some serious threats. After she had hung up, the same person called Laura on her mobile phone on multiple occasions, sending her more threats. The first threat was that unless she paid the requested amount within one hour, her underage child would be buried five meters underground. During the second phone call, Laura was told that she had a child that day, but that she would not have them the next day if she reported the case to the police.

Scared for the life of her child, Laura reported everything to the police. The person behind the Instagram account, Nenad K, thus committed a criminal offense of attempted extortion.

Nenad K. is from Croatia, currently residing in Valjevo. He is a worker, unemployed and unmarried. He finished secondary school and had not been convicted before, nor was any other proceeding against him in progress during this trial.

The primary court sentenced Nenad K. to one year in prison. The verdict was passed in late 2020.

#### Primary Court in Vojvodina

/a case related to the case from Šumadija and West Serbia/

Nenad K. attempted another fraud in 2017, this time via Facebook, when he asked

Zlatan M. to send him money. After Zlatan had sent the money requested, Nenad used threats to extort even more money from him.

In the summer of 2017, Zlatan was contacted via Facebook by a person behind an account called “Mateo Ćuk”. The anonymous person behind this fake account told Zlatan that he could make “easy money” in the amount of EUR 40,000, by placing a bet on a football game. This person then explained to Zlatan that a bet of EUR 50 would be placed by “Mateo Ćuk”. They also falsely claimed that Zlatan could win EUR 40,000, misleading Zlatan to believe that this amount would be available if he paid 20 percent of the pay-out. “Mateo Ćuk” then told Zlatan that he would need to send his personal information, so that the money could be paid via Western Union, and Zlatan obliged. Next, the person behind the “Mateo Ćuk” profile presented Zlatan with a fake proof via Facebook that a payment of EUR 40,000 had been made to his name.



He then asked Zlatan to pay EUR 220 in dinar countervalue as a commission, so that Zlatan would receive a “code” for collecting the money. Again, Zlatan obliged. Following the instructions of “Mateo Ćuk”, Zlatan paid the requested amount of RSD 27,100 through the Post Office to the unmarried partner of the person behind the fake profile. The money was collected by Sanela, the unmarried partner of this person, in a post office in Novi Sad, who used her ID to identify herself when collecting the money. The very same day, she gave the money to her unmarried partner, who had thus gained an unlawful profit for himself in the amount of RSD 27,100.

Attempting to gain more money, the man behind the “Mateo Ćuk” account contacted Zlatan the same day, falsely informing him that his wife had been arrested when collecting the money. He then asked Zlatan to pay EUR 800 more. He also threatened Zlatan that he would kill him and his family if Zlatan did not pay the requested amount. Those threats were

sent directly, over the phone, followed by photos of an unknown child with visible injuries, accompanied by threats that Zlatan's dearest would fare even worse than this child of a father who had refused to pay the requested amount.

Zlatan did not pay the money but reported the whole thing to the police. The person behind the "Mateo Ćuk" profile on Facebook, Nenad K, had thus committed a criminal offense of fraud and a criminal offense of attempted extortion.

Nenad K. is from Croatia, currently residing in Valjevo. He is a worker, unemployed and unmarried. He finished secondary school and had not been convicted before, nor was any other proceeding against him in progress during this trial.

The primary court sentenced Nenad K. to five months in prison for the criminal offense of fraud and fined him RSD 100,000. For the criminal offense of attempted extortion, he was sentenced to 11 months in prison. Thus, Nenad K was sentenced to a concurrent sentence of one year in prison and fined RSD 100,000. The verdict was passed in 2017.

## **Minors as perpetrators and injured parties**

### **Primary Court in Vojvodina**

During January and February of 2015, Igor I. used continuous blackmails and threats to force thirteen-year-old Luka to give him money on multiple occasions.

At the beginning of January 2015, a thirteen-year-old boy was with his friends in a betting shop, where he used to go to watch games and play foosball. He was approached by a man he had not met before and who introduced himself (falsely) as "Mladen". He said he knew the boy's father and that they were good friends. He added he knew a lot about betting and that he had been receiving tips about certain results. The man who falsely introduced himself as "Mladen" then asked Luka if he had any money to place a bet and suggested they share the money if they won. Luka then gave him RSD 5,000 he had with him.

That evening, Luka and Igor exchanged phone numbers and the next day Luka received a call that they had won a lot of money. However, Igor told him that the money had to be paid to an account, otherwise they would lose it.

That was another way of asking Luka for money. When Luka told him he had no money, the man told him that he knew his father and that Luka should find a way to find the money. Otherwise, he would tell the police everything about betting and match-fixing. He said that the police would take him to a polygraph and that they would come to his home. Thirteen-year-old Luka was very afraid, and the man had not stopped asking for money since then.

Being terribly afraid, the underage child, gave the man EUR 350 on a parking lot in front of a school. Then, after a few days, the boy received another call from the man. This time, the man threatened he would report the boy to the police and the head-teacher, which would cause him a lot of problems with parents and his football practices. Intimidated by the threats, Luka gave the man another EUR 300. The man did not stop there, continuing with threats that he would report Luka to the police and that Luka would end up in a youth detention centre, which led terrified Luka enough to give him a total of EUR 1,950 on several occasions. During

that period, Luka was telling his mum he was taking additional private lessons.

At the end of January, the man who introduced himself as Igor called Luka again and asked for more money. When Luka said he had no money anymore, the man replied by saying that he did not care, because he knew what Luka's father did for a living and that he surely had money. The man added that Luka needed to find money somehow or else the man would let Luka's parents and the police know about the whole thing. Luka then went home, took RSD 34,000 that his father had put aside, RSD 24,000 that were his father's company's money, as well as mum's CHF 200. He then called the accused and gave him all the money, while the accused told him to meet him by a bridge the same evening, but the man did not show up. The next day, after Luka came back from school, his mum asked him what was going on with him, because he was acting strangely. He then told his parents everything and they reported the case to the police.

During this period, Igor I. gained an unlawful profit in the total amount of RSD 392,800.

The accused Igor I. is from Subotica. He is a worker and citizen of Serbia. He finished secondary school and has an underage child. He had not been convicted before.

As stipulated in the verdict, in his defence, Igor claimed that he had met Luka at a betting house and that they had placed several bets together. He added that Luka had told him on one occasion that he had saved some money, so Igor asked him to lend him some of the money, because Igor was in debt. Luka accepted the request and lent him EUR 600. Igor said he would pay him back quickly, but failed to do so and continued borrowing more money from Luka until thirteen-year-old Luka lent him a total of EUR 1,500. Igor then asked Luka again for some money, promising to pay him back in instalments. In his defence, Igor said that Luka had agreed to the deal and had given him EUR 1,500 more, which made the total debt rise to around EUR 3,000. When he realized he might get into big problems, he discarded his SIM cards and bought a new phone. He pointed out that he had never threatened the minor and that he intended to pay him all the money back.

In his testimony, he added that Luka had been meeting him at betting houses, asking him to place bets on Luka's behalf, because he was underage. He also stated that he asked Luka whether he had been taking money from his home and warned him that he could get into trouble if that was the case, but Luka reassured him that his grandmother was working in Germany and had been sending him money.

At the trial, Igor said that he had falsely introduced himself to the minor as Igor, because he did not have enough money to pay him back at the time. He added that Luka had often used the slot machines at the betting house and that he himself had been placing bets of EUR 100 or EUR 200, depending on how much money Luka had given him. He said that he had given Luka back around EUR 300 from the money he had won. Igor denied having threatened Luka that he would go to a juvenile detention centre and that Luka must have made that up because he was too afraid to tell his parents he was gambling. He stated that the messages he had sent to Luka clearly showed that he had not threatened Luka that he would go to a juvenile detention centre. He added that one of the messages he had sent to Luka showed that it was actually Luka who had asked him to pay back the money, but he could not do that because he was planning to buy a new phone.

Luka's father, Željko, is a sole trader, who lives with his wife and underage children in



Subotica. In his testimony, he stated that he had no family in Germany, nor anyone else who had been sending him money from abroad. He confirmed he knew had been going to an arcade that was in the same building as the betting house, but that he had strictly forbidden his son to gamble. Luka's father said that everyone in their family knew where the money was kept in the house and that he and his wife had never checked the amount, since the business was slow during winter and they had been saving as much as they could. Željko noticed that his son had been acting strangely, but they thought he had fallen in love. On the same day when Luka told them everything, the boy was in a very difficult mental state, scratching his neck, walking around the house and repeating "nothing, there's nothing left", which is why his parents took him to a psychologist and neuropsychiatrist. Luka's father said he had been guarding Luka's bedroom door for two weeks and following him everywhere around the town, because he was afraid for his son's safety.

The underage Luka told the court the whole story in detail. He stated that Igor tricked him by saying he knew his father and describing what he was like in his youth. Luka believed his father's friends were good people, so he trusted Igor. He told the court that Igor had once told him some of his friends were dangerous people. The fact that Igor talked about dangerous people and used strong voice to ask for money made Luka afraid, which is why he had been stealing his family's savings. He was even more afraid of his father's reaction, because he used to be in the army, so he kept everything a secret. Eventually, he confessed because he could not stand it anymore and there was no more money left.

In the explanation of the verdict, it is stated that the accused Igor I. had constantly been trying to present the thirteen-year-old Luka as a gambler throughout the trial. The court stated that it was pointless to elaborate on that, since the minor was "hooked" on Igor's story about great winnings and that Igor himself admitted he was a gambler and that gambling had put him in great debt. The court explained that there was no denying there were many betting houses even in smaller towns and that many people frequented them looking for a large profit and that it was obvious a 12- or 13-year-old child could be lured by such ideas.

The court concluded that the accused Igor I. had presented illogical and contradictory defence, constantly trying to present his relationship with the thirteen-year-old as close and friendly. The explanation also stated that such defence had to be rejected, especially taking into account the fact that Luka had still not turned 13, while the accused Igor was 25 at the time.

The explanation provided by the primary court also stated that Igor's honesty is best exemplified by his false introduction to the minor and that at one moment he had discarded the phone and SIM cards he had been using to keep in touch with Luka. When it comes to the friendly and honest character of the relationship, it should be noted that Igor himself said that when Luka asked him to pay the money back, he said could not because he was planning to buy a new phone.

The court found the accused's defence deprived of any logic and his behaviour unlike that of a mature person. The primary court only accepted the fact that he had been taking money from Luka, rather than borrowing. Once he had prepared the ground by saying he knew Luka's father, Igor started forcing Luka to bring him money so that Igor could "pay back" his debts, because, as expected, he had not been winning any money on his bets. He made Luka afraid by telling stories about his dangerous friends, how he and his friends had once stabbed



a man, that he would report match-fixing to the police and send Luka to a juvenile detention centre. According to the court, all this constitutes a form of serious psychological violence and threats, which had had a particularly great effect on the underage Luka, and that even a person of a legal age might have been affected in a similar way.

In this proceeding, Igor was on trial not only for extortion from a minor, but also for the criminal offenses of fraud and illegal possession of narcotics.

The mitigating circumstances that were taken into account by the court included his financial situation, his age and the fact that he had not been convicted before, which indicated he was not prone to committing criminal offenses. The court also considered the fact that Igor was a father of an underage child, without any assets or property, and that he intended to pay back the debt to Luka and his parents. On the other hand, the aggravating circumstances considered include the fact that he had committed three criminal offences within a period of two years, which suggests he was determined to commit those offenses. He admitted having committed the other two offenses, which was also taken into account by the court as one of the mitigating circumstances.

Furthermore, Igor is a father of an underage child and it was from his remorse during the trial that the court concluded that the proceeding itself impacted the accused, whose behaviour showed that he was affected by everything that was going on. All that was added to the mitigating circumstances considered before the court passed its verdict.

The accused Igor I. was sentenced to a concurrent sentence of one year, that he would spend at his place of residence. For the criminal offense of fraud, he was fined RSD 30,000, while he was fined RSD 100,000 for illegal possession of narcotics.

If the accused leaves his place of residence on his own will once for a period of over six hours, or twice for a period of up to six hours, respectively, the court shall order him to spend the rest of the punishment in prison. If he fails to pay the fine, it will be replaced with a prison sentence, where Igor would have to spend one day in prison for each RSD 1,000 he was fined.

However, the **sentence regarding extortion was modified**, following an appeal submitted by the primary public prosecutor and an appeal submitted by the defendant's attorney.

The appellate court found that the actions taken by the defendant, who was charged with extortion, contained all the elements of the criminal offense of blackmail after all. This court accepted the defendant's attorney's appeal that the criminal offenses of extortion and blackmail have certain similarities, but that in case of extortion the aim is achieved by using compulsion, i.e. force or serious threat, while in the case of blackmailing the aim is achieved by using threat, regardless of whether what is used to threaten is true or untrue, as long as a message is sent to the injured party that it could damage their reputation and honour.

It was stated in the modified verdict that Igor told Luka that if he did not give Igor the required amount of money, the whole story about betting and match-fixing would be reported to the police, that the underage injured party would take a polygraph test, that he would be reported to the head teacher and that he would have problems both at school and at home,

which were all reasons why Luka was giving money to Igor on multiple occasions.

The modified verdict sentenced Igor to 11 months in prison for the criminal offense of blackmail. For illegal possession of narcotics, he was sentenced to three months in prison, while for the criminal offense of fraud, he was sentenced to six months in prison and fined RSD 30,000.

The appellate court decided that Igor should spend one year and six months in prison and pay a fine of RSD 30,000. The verdict was modified in 2018.

## **Minors as the accused**

### **Higher court in Vojvodina**

Between 2014 and 2016, underage Stojan G. used continuous threats to make underage Djordje M. to give him money on multiple occasions in the total amount of EUR 300.

During a period of two years, underage Stojan stopped underage Djordje in the street, asking him to give him money and telling him he would kill him. Fearing for his life, Djordje gave him different amounts of money on several occasions. Sometimes EUR 100 or EUR 50, sometimes RSD 500 or RSD 600, depending on how much money he had with him.

Stojan also threatened to Djordje via Facebook, telling him he would beat him up unless he did not give him the money he needed for the arcade. On one occasion in 2016, he intercepted Djordje in the street while the latter was going home. He then ran after him, shouting, "Stop, we'll fuck your mouth, we'll kill you!". Djordje managed to escape, while Stojan stood in front of Djordje's house and threatened to burn it down. When Djordje's mother got out of the house, Stojan started breaking and hitting the mailbox.

Underage Stojan thus committed the criminal offense of extortion.

However, the case against underage Stojan also included charges against illegal position of narcotics, i.e. marijuana. Marijuana was packed in three bags and hidden in Stojan's deodorant box. One bag contained 0.75 grams, one 0.59 grams, while the third contained 0.18 grams. Marijuana was found during house search and subsequently confiscated. On the same occasion, a mobile phone was also confiscated from Stojan.

The accused Stojan lives with his parents and his younger sister. Disciplinary measures had already been taken against Stojan on several occasions for violent behaviour. His father had been working in Sweden as a construction worker since 2010, making around EUR 3,000 a month. Stojan and his sister are provided for by their father and mother, while his father owns the house in which they live. In 2016, underage Stojan, his mother and his sister went to Sweden to live with his father. His sister is going to school there, while he and his mother are employed at the same factory. They have their own apartment there and they work from 7 a.m. to 4 p.m.

In his defence, Stojan stated that he knew Djordje and that they used to hang out when they were children. According to Stojan, before the events for which he was on trial, they were

in an arcade and Djordje borrowed RSD 2,000 from him. The deal was that Djordje would pay the money back in three or four days, but he failed to do so.

Stojan added that he had sent a message to Djordje asking him whether he had the money, but he had received no reply. Stojan went to Djordje's house, saw him running into the house and realized that Djordje had been avoiding him. When he got to Djordje's home, he shouted and asked Djordje to get out of the house, but Djordje's mother came out instead and asked Stojan what he wanted. When he told her Djordje owed him some money, she started yelling and told him to go away, swearing and threatening to fetch a gun. He told her he had no problem with her fetching a gun, which made her take a large pole with which she tried to hit him. He was trying to avoid her attacks and when some boys came passing by, he left.



Afterwards, he went to the arcade, where he saw Djordje's cousins and told them that he would again go to his house to get his money. He said that Djordje should not play dumb, but pay him back the money he allegedly owed him. Later that day, he went back to Djordje's house and some of his friends accompanied him. When they got to the house, he called Djordje to get out, but his mother came out again, invited him to get into the house and said, "Come inside and take your money." He then realized she was not going to pay her son's debt, so he broke the mailbox on the gate in rage.

Stojan also claimed that Djordje's father later threatened him with a gun via Facebook. After a few days, Djordje returned the money and they were allegedly in good relations. Stojan constantly denied having extorted money from Djordje and in his subsequent defence he said he was ready to compensate for the damage to the mailbox.

These claims were confirmed by two witnesses, Stojan's friends.

As stated in the explanation of the verdict, the court had not accepted the part of defence in which Stojan claimed he was actually lending money to Djordje and that it was the reason

for him to go to Djordje's house and that his mother threatened him. The court also refused to accept that Djordje's father threatened him with a gun. Those claims have not been proven and they contradict the statements made by Djordje and his mother, which were completely accepted by the court.

The higher court found that Stojan had tried to evade his criminal responsibility and that he had, in order to support his false claims, asked his friends to be his witnesses, who would support his case. The statements made by those witnesses were also dismissed by the court.

A panel of judges for juvenile delinquents imposed a disciplinary measure of special commitment. Namely, Stojan is obliged to take part, without any financial compensation, in the work of humanitarian organizations or activities of social, local or ecological importance. He is obliged to spend 90 hours during a period of three months doing such activities, at the time the Social Service Department deems suitable, i.e. when the minor comes to Serbia for holiday. The verdict was passed in 2018.

### **Higher court in Vojvodina**

From 2016 to 2017, underage Filip R. used threat to force underage Goran Z. and underage Dimitrije F. to give him money.

Goran had known Filip since 2010. They had never been friends, but Filip first asked him for money in 2016, when he met him in the street. He then asked for RSD 2,000, but in his subsequent requests accompanied by threats he asked for either RSD 2,000 or RSD 5,000.

Dimitrije and Goran went to the same school. In the summer of 2017, Dimitrije was on a beach, counting money. Filip came and threatened to "beat him up bad" unless he gave him RSD 1,000. Dimitrije gave him the money.

Soon afterwards, Goran started receiving messages from Filip via Facebook, in which Filip asked Goran and Dimitrije to give him money. Sometimes he asked for RSD 500, sometimes RSD 1,000, but sometimes RSD 2,000 and he instructed them to leave the money under a rock on the beach. Goran received a similar message on several occasions during the summer of 2017, which he forwarded to Dimitrije. The message also stated that he would beat them up unless they gave him the money.

Dimitrije gave between RSD 15,000 and 20,000. One half of the amount he had got from his grandfather, while he had taken the other half from his parents. He would say to his mother that he had spent the money before she saw him giving money to Goran. Goran would later give that money to Filip.

Filip, who was a minor at the time, thus gained around RSD 50,000 and committed the criminal offense of extortion.

Filip is now of a legal age, but when he committed the offense, he was in his senior year at the secondary school, studying to be a welder. He was an average student. His mother

is unemployed, while his father, a cook, works in the laundry room of a hospital. His father makes around RSD 23,000 a month. Filip also has a younger sister and the family lives in the house owned by his father's parents, who also live in the same house, but their households are physically separated. His parents use the same parenting principles and are completely functional. The verdict also states that his parents regularly control their son's behaviour and have authority over their children.

The statements made by Goran and Dimitrije, as well as those by their parents, were accepted as completely truthful.

When interrogated by a police inspector, Filip admitted having asked for money from the injured parties and forcing them into giving it to him. However, in his subsequent defence, he denied committing the crime. He then said that he had pleaded guilty in front of the inspector, because he had been threatened with detention and his father had not been present at the interrogation. He added that he had seen that account with his name and surname for the first time when he was at the police station, that he thought it was a fake account and that he had not created it. Filip said that the fake account with his personal information had only one friend and that there were no photos.

The court dismissed Filip's defence, in which he denied having committed a criminal offense against Goran and Dimitrije. As stipulated in the verdict, that part of his defence is in complete contradiction with the statements of the injured parties, which the court had accepted as completely truthful. It was added that the court believed that Filip had used lies to evade criminal responsibility, because his defence had not been supported by evidence during the trial.

A panel of judges for juvenile delinquents imposed a disciplinary measure of intensive supervision against Filip to be conducted by a legal guardian. The measure is to be enforced over a period of between six months and two years and the court will decide, at a later date, when the measure should be discontinued. The supervision of the implementation of this measure will be entrusted to the Social Service Department.

The verdict was passed in 2018.

### **Higher court in Vojvodina**

At the end of 2019, underage Davor H. took away a mobile phone from the hands of Ivan L. and later tried to extort EUR 200 from him in exchange for the getting the phone back.

Davor met Ivan in the city centre and took away Ivan's mobile phone with the original case and charger from Ivan's hands. A few hours later, he called Ivan and asked for EUR 200 to return the phone.

The court decision states that Ivan claimed to have known Davor for five years and that they had been very close friends until the accused had taken his mobile phone and asked for EUR 200 to return it.

The phone in question was a black iPhone 8+ that had been in Ivan's possession for four months. It was new when Ivan bought it and he had paid EUR 600 for it. Ivan claimed that Davor had taken the phone away and ran away, only to ask for EUR 200 for it later. The injured party also said that Davor had been borrowing money from him and that he owed him EUR 500 and that he had stolen two more phones from Ivan's home, which belonged to Ivan's father.

Davor H. is a citizen of Serbia. He is attending secondary school part-time, learning to be a cook. Neither he, nor anyone in his family have any material possessions. A disciplinary measure of intensive supervision conducted by a legal guardian had already been imposed against him. There is another court proceeding in progress against him and he is currently in detention.

In 2020, the higher public prosecutor's office suggested criminal sanctions against underage Davor and his other two friends, Petar and Zlatko, who are also underage. The three of them are charged with committing a total of 16 criminal offenses in 2018 and 2019. They are primarily charged with illegal use of another person's vehicle, several thefts, demolition and damage of other people's possessions, petty thefts, embezzlement and fraud. Finally, Davor is the only one also charged with the criminal offense of extortion.

As the court decisions stipulates, his actions have all objective and subjective elements of the criminal offense of extortion.

When deciding on the type of disciplinary measure, the court took into account the opinion and suggestion of the Social Service Department, as well as the fact that it had been proven that he had committed as many as 16 similar criminal offenses. The court also took into account the fact that he had already been punished with a disciplinary measure for committing four criminal offenses.

It is also stated that the disciplinary measure in questions did not fulfil its purpose and that it should be replaced with another one, because the minor in question had not adopted positive social values and attitudes.

The court said that there was a high risk of underage Davor having another conflict with the law. Bearing in mind his family situation, the severity of criminal offenses committed, the manner in which they were committed and social danger he represents, the court found that the most effective punishment for the offences would be to send him to a correction facility.

A panel of judges for juvenile delinquency from the high court sentenced Davor H. to spend between six months and four years at a correction facility, with a provision that the court should decide every six months whether to discontinue the measure or replace it with another one.

## Extortion with life threats

### Primary court in Šumadija and West Serbia

In 2013, Slobodan S. threatened Marko Ž. and his family via SMS, trying to use threat to extort money from Marko.

In mid-April 2013, Marko from Ub received an SMS from a number unknown to him, which said, “You have 7 days to find EUR 5,000. You’ll be informed about the time and place where you’re going to leave the money. You know who you owe money to, you have a wonderful family and it would be a shame if something happened to them”.



Six days later, he received another message, as a reminder that the following day was his deadline for paying back the alleged debt. The message said that he would soon receive the instructions related to the time and place where he should leave the money and there was a warning that the sender was monitoring the movements of Marko and his family at all times.

One week after the original message, Marko received another one, saying that he would get the information about the location where he needed to leave the money at 11 p.m. The unknown sender stated that unless Marko did as instructed, he and his family would go through a hell in the following week. The same evening, Marko received a message with an instruction to pack the money in an envelope before midnight. The unknown person explained that when he reached the end of the lake, he would see a rock by a lamppost. If he left the envelope under the rock and disappeared immediately, he would not have any problems. Otherwise, someone would get hurt. After that message, Marko reported the case to the police and the accused Slobodan was arrested.

The accused Slobodan used threats to endanger the safety of Marko and his family. Slobodan had not completed the criminal offense, because he had been reported to the police



in a timely manner, so the criminal offense was qualified as attempted extortion.

Slobodan S. is a citizen of Serbia, who is a waiter. He is unmarried, has no children and he finished secondary school. He owns no property and has no full-time employment. He had not been convicted before.

Slobodan admitted that he had committed the criminal offense and made an agreement with the primary public prosecutor's office to confess. In this agreement, Slobodan waived the right to have a trial and file an appeal. The court found that the evidence collected supported his confession.

The court sentenced Slobodan to six months of house arrest with electronic surveillance. The verdict was passed in 2016.

#### **Primary court in Šumadija and West Serbia**

One evening in 2014, Stefan U. threatened Marko B, a waiter at a restaurant, and forced him to give him the daily takings.

One evening in Užice, a man approached Marko in the restaurant and asked him to give him RSD 1,000. After the waiter had refused to do so, the man told him, "You don't know who I am, don't make me take out a knife". The unknown man then took out a knife and the waiter, fearing for his life, gave him RSD 1,000 from the daily takings. The accused then left the restaurant, while the waiter called the police.

The accused, Stefan U, thus committed the criminal offense of extortion.

Stefan U. is a citizen of Serbia, who has finished secondary school. He is a worker, unmarried and has no children. He owns no property and is unemployed. He had been previously convicted of violating the right to manage and the criminal offense of change of family status. Furthermore, he had already been sentenced to mandatory psychiatric treatment at a relevant institution for another criminal offence he had committed.

For committing the criminal offense of extortion, the court sentenced him to six months in house arrest, without electronic surveillance.

The verdict states that if Stefan U. leaves the place of his residence on his own free will once for more than six hours or twice for less than six hours, respectively, he shall serve the rest of the sentence in prison.

The verdict was passed in 2018.

#### **Primary court in Vojvodina**

In 2017, Jovan S. used phone calls to threaten his older neighbour Branislav K. and extort EUR 10,000.



In October 2017, Branislav from Lovćenac received a phone call on his mobile phone from an unknown number. A male voice said, “Branko, you’ll prepare EUR 10,000 and when you do that, I’ll tell you where to bring the money. If you don’t do as I say, your kids will never walk on this planet again”. Branislav, who is known as a wealthy man in the town, received another call the same day, when the unknown man repeated his threats and demands.

The same person repeated the calls the next day again, using two different SIM cards. After numerous phone calls, Branislav followed the instructions given by the unknown man, put EUR 10,000 in a black bag and left it at the specified location. The accused then drove his car to the location where Branislav had left the money, took it and put it on the passenger seat. He was arrested immediately after that.

The police also found a small quantity of narcotics in the car. There was a small bag, containing 0.95 grams of marijuana.

Jovan S. was consequently accused of committing the criminal offence of attempted extortion and illegal possession of narcotics.

Jovan S. is a citizen of Serbia and is unmarried. He has no children, owns some property and had not been convicted before. During this trial, there was another one against him in progress, while Jovan was in custody.

Based on the statements given by Branislav, Jovan and witnesses, the court concluded that Jovan and Branislav were neighbours, that Jovan was familiar with Branislav’s financial and family situation, and that he knew Branislav had lost a child.

As stated in the explanation of the verdict, Branislav had lost a son in a tragic accident several years before. The threats that his children would never again walk on this planet are words that instigate fear, especially since the injured party had already suffered a similar loss. His neighbour Jovan was aware of that and used that fact knowing it would make Branislav succumb to the threat and give the money. That is exactly what happened, because the injured party was so afraid that he did not even tell his family about the threats. After first several calls, he wanted to take the money right away, but he later decided to inform the police about what had been going on.

In his defence, Jovan S. admitted, up to a point, that he had committed the criminal offenses he was charged with. Jovan claims that he went to the specified location to take the bag with money under threat from Lajoš, Borko and Nenad, whom he owed EUR 2,000, i.e. EUR 2,900 with interest. He added that it had actually been those three who called Branislav. Jovan said that they had beating him up regularly, called him every day and raised his debt. On the day when Branislav received the first threat, Jovan claimed they gave him the task to collect the bag with money. The accused said that when Lajoš came to take the money from the car, he put a gun in his mouth. Furthermore, he claimed that they had given him a phone from which they had previously removed a SIM card and replaced it with another and told him to call them when he took the money. Jovan also said that they had told him they had been monitoring his movements through binoculars. Jovan admitted having used the marijuana that was found in the car, but only because he was under a lot of stress because of the whole situation. Jovan also claimed that Lajoš had been to his house and photographed the things in it, threatened and sent messages to his mother asking her to pay her son’s debts, and had been beating him up.

On the other hand, witness Lajoš confirmed he had been to Jovan's house and taken photos of a chest of drawers. However, he claimed that he had shown the chest of drawers to his wife and denied threatening Jovan, beating him up and forcing him to ask money from his neighbour. The witness denied being in the car with the accused when he went to collect the money, calling the accused or giving him the phones to call Branislav.

Also, the court established that the accused Jovan S. owned agricultural land he cultivated with his own mechanisation, that he had a registered farm, just like his grandfather and uncle, who worked with him on the land. Jovan provided services with his mechanisation for a fee. Therefore, the court accepted the statement given by witness Lajoš, believing that Jovan could have paid the debt back from his own resources and income.

As stated in the explanation of the verdict, Jovan did have debts with a high interest rate. He owed EUR 2,000 to the first witness, Lajoš, which he failed to pay back on time, which is why the debt had risen to EUR 2,900. According to the second witness, Borko, Jovan was supposed to receive a payment of RSD 350,000 on his bank account. The third witness, Nenad, also knew that this money was supposed to be paid to Jovan's account, because Jovan had told them he would use that money to pay back his debt to Lajoš.

Based on the statements given by other witnesses, the court found that the accused had several phone numbers and that some had been unavailable at times.

Branislav did not mention that he had seen any other vehicle while going to the specified place to leave the money and when the police arrived at the crime scene, there was only the accused in a vehicle he had been using. The court stated in the explanation of the verdict that all facts pointed to the fact that the accused Jovan had given such defence in order to reject his responsibility.

Taking into account the opinions of expert psychiatrists and psychologist, the primary court concluded that the accused was not suffering from any chronic or acute mental illness and that was accountable at the time when the offense was committed. The court also found that that he had not received any threats because of his debts, that he had not been physically abused, nor forced into paying back the debts by extorting money from another person. Also, he was not driven to the location where the extorted money was supposed to be, nor was he threatened with a gun. There was no evidence to support the accused's claims, so the court dismissed them.

When deciding on the type and severity of punishment, the court took into account some mitigating circumstances, such as the accused's age and the fact he had no previous convictions. Among the aggravating circumstances, the court took into account the circumstances in which the offense was committed and the fact that it was committed against his neighbour, an elderly person who had suffered a family tragedy, which the accused knew and used to his advantage.

The accused Jovan S. was sentenced to two years in prison. The verdict was passed in 2018.

### Primary court in Šumadija and West Serbia

In the middle of the night one day in 2013, Nebojša M. and Vuk R, instead of paying their taxi fare, used threat to force taxi driver Stevan S. to give them all the money he had with him.

In May 2013, around 2:30 a.m., Stevan, a taxi driver from Jagodina, took a ride. Three people, including two men, Vuk and Nebojša, and a woman, Nebojša's girlfriend Sanja, got into the car. They asked Stevan to take them to a café that was still open. After a short drive around the town, Stevan stopped the car in front of a café near the bus station. During the ride, Vuk was sitting in the passenger seat, while Nebojša and Sanja were sitting in the back seat. When Stevan stopped the car, Vuk and Nebojša asked him to give them money and threatened to beat him up unless he gave them money. Afraid of their threats, Stevan got out of the car, followed by Vuk and Nebojša. One of them grabbed Stevan's arms from behind and Stevan, afraid that he would be beaten up, took RSD 14,000 and a EUR 10 banknote from his back-pocket. He gave the money to Vuk and Nebojša, who took the money and left.

When committing this offense, Vuk and Nebojša were of sound mind, and they intended to gain unlawful material gain, thus committing the criminal offense of extortion.

The verdict related to Vuk contained an additional sentence, because he had committed a fraud against Nikola from Jagodina in a café at the bus station. Namely, Nikola asked a waiter at the café where he could exchange EUR 50. Vuk overheard the conversation and approached Nikola and said he would exchange the money for him, after which Nikola gave him a banknote. Vuk left and did not return. The waiter called Vuk on the phone, since he knew him, and asked him to bring the money to Nikola. However, Vuk said that he could not do that, which is why he was also charged with the criminal offense of fraud.

The accused Vuk R. is a citizen of the Republic of Serbia and a hairdresser by vocation. He is not married and has no children. He had previously been sentenced to three suspended sentences. At the moment, he was not charged with any other crime.

The accused Nebojša M. is a citizen of the Republic of Serbia, married and father of seven underage children. He is living with his father, who owns the house in which they live. They work together at a market. The family has an income of around RSD 50,000 a month. He had previously been sentenced to 12 prison sentences and one suspended sentence.

In his statement, Stevan, the injured party, said that he was waiting for guests in front of a discotheque, on the day in question. Vuk and Nebojša got out of the discotheque with a girl, whom Stevan had known by sight. Vuk sat in the passenger seat, while Nebojša and the girl sat in the back. When Stevan stopped the car, one of the accused asked him to hand him the money he had, so that they could afford to drink. When Stevan said he had no money, one of the accused took out the car keys and said, "Let's see if you really don't have any money!", after which Stevan quickly got out of the car. He was followed by Vuk and Nebojša. One of them punched him in the stomach, while the other was holding Stevan with both arms. After that, one of them searched Stevan and found RSD 14,000 and a EUR 10 banknote in the back-pocket. He took the money and let Stevan go, telling him he was free and giving him back the car keys. Stevan immediately reported the event to the police.

However, Stevan later changed his testimony and said that he did not know whom he had given the money and claimed that he had not been beaten up. He said that the incident had happened a long time ago and that he could not remember every detail. He added that he had been very scared at the time, but that he could not remember the tone the accused used to talk to him, nor the exact words they used. He also said that he could not remember whether one of them put their hands in his pocket.

Considering Stevan's testimonies, the court concluded from his behaviour during deposition and the fact that he had faced the accused that Stevan had avoided to describe the event in detail and that he had been intimidated by the presence of Vuk and Nebojša. Stevan's answers were short, he provided no explanations of the event and avoided giving direct answers to the questions asked by the court. Taking into account his two testimonies, the court believed that Vuk and Nebojša had threatened to beat him up and that he had given them the money because of that.

Analysing the defence of the accused, the court concluded that their testimonies had been given with an aim to avoid criminal liability.

In his first testimony, the accused Vuk shifted all responsibility to the other accused, not denying that Stevan had driven them to the café in question, but insisting that he and the girl had got out of the car. He added that Nebojša had remained in the car and that he had run away towards a block of flats after some time. According to Vuk, Nebojša later called him and said that he had asked the taxi driver for money and that he had taken the money in question after the driver initially refused to oblige. Vuk confirmed that he had seen several RSD 1,000 banknotes in Nebojša's hands, but insisted he had nothing to do with the whole affair.

In his subsequent testimony, Vuk claimed he had paid for the ride before getting out of the car and that Nebojša had remained in the car for the reasons unknown to Vuk. He said he knew nothing about the money in question. He changed his testimony again at the main hearing, when he claimed that no-one had paid the ride and that Sanja and he had got out of the car, immediately followed by Nebojša, who remained in the car to pay for the ride. He also dismissed all accusations from the indictment. He stated that the statement given at the police station had been given in an unlawful manner, that the police officers had written what they wanted, that he had not had an attorney and that he had actually told the police the same account he had told the court and public prosecutor's office, that the police had been trying to frame him, that they had beaten him up, that he had also fought back, but that they had made a deal that no-one should press any charges against anyone.

The court also dismissed the defence of the accused Nebojša, who remained consistent in his defence. He said that, after Stevan had driven them to the café, he and the girl had left the vehicle and that he had refused to pay for the ride because he had already had previous conflicts with that particular taxi driver and because they had not been on speaking terms. He also claimed that the accused could not have earned that much money in one day working as a taxi driver.

Having analysed the defence of the accused Vuk, who had been changing his testimonies during the trial and the defence of the accused Nebojša, who remained consistent, the court concluded that they were mutually contradictory and that the defence of the accused who had

changed his testimonies contradicted itself.

The court, therefore, decided, only to accept the testimony of Stevan, the injured party. However, during the trial, a questions was raised related to the ability of the accused Vuk to comprehend the implications of his actions, which is why the court ordered psychiatric forensic evaluation.

The findings of experts from the Special Prison Hospital, where Vuk had been admitted, suggested that there were no symptoms of any mental illness, mental retardation, temporary distemper or severe distemper. The experts concluded that the patient was a person with unstable personality, whose intellectual capacity was average. Vuk had started consuming narcotics and had become a heroin addict. The analysis of Vuk's mental state at the moment when the offense was committed shows that he was under influence of heroin and alcohol at the time, but that his accountability was not significantly lowered.

The accused Vuk and Nebojša were aware that they were committing unlawful activities and that their threats would lead to someone else causing damage to their own property and/or assets. Based on all the evidence presented, the court concluded that it had been proven beyond any doubt that the accused Vuk and Nebojša had committed the criminal offense of complicity in extortion.

The court took into account some mitigating circumstances related to the family and financial status of Vuk and Nebojša, respectively. Namely, there are both unemployed and Nebojša is a father of seven children. The fact that they had been previously convicted was considered as one of aggravating circumstances.

Eventually, the primary court sentenced Vuk and Nebojša to eight months in prison, respectively, for the criminal offense of complicity in extortion. The accused Vuk was sentenced to additional six months in prison for the criminal offense of fraud, so the court decided to sentence him to a concurrent sentence of one year in prison.

Since those found guilty of committing the criminal offense of fraud are also fined, the court fined Vuk with RSD 10,000. Unless he is able to pay the fine, he will serve one day in prison for each RSD 1,000 of the fine.

Taking into account the assessment of experts from the Special Prison Hospital and the recommendation of the public prosecutor's office, the accused Vuk was also sentenced to mandatory treatment of drug addicts, which he should undergo while serving the sentence and which should continue for as long as necessary, but not for more than three years.

### **Primary court in Šumadija and West Serbia**

In the summer of 2012, Aljoša K. and Veselin E. used threat to force Zlatan F. to give them EUR 3,500, following Zlatan's refusal to employ Veselin at his discotheque.

In the summer of 2012, Aljoša invited Zlatan to meet him at a restaurant. Aljoša and Veselin were waiting for him at the restaurant. Aljoša told Zlatan to hire Veselin as a security

guard at his discotheque and pay him EUR 300 a month.

Three days later, at around 1 a.m., Aljoša and Veselin drove to the discotheque, while Zlatan was at the parking lot. One of the accused raised his voice and told Zlatan to get into the car. They then drove to another discotheque in order to talk to a witness, Čedomir, who was working as a security guard at Zlatan's discotheque.

During the ride, Aljoša told Zlatan he was a man of great power and influence, who had people from the town watching his back and that, as a result, he could take on any security he wanted. Then, when they arrived at the other discotheque, one of the accused went to fetch the witness Čedomir, who confirmed he was working as a security guard.

Veselin then threatened Zlatan to break his bones because the latter was making fools of them. He told Zlatan that he should give each of them EUR 5,000 if he wanted to continue running the discotheque. Otherwise, they would beat him up.

The witness Čedomir told Zlatan to get out of the car. Čedomir himself stayed in the car to talk to Aljoša and Veselin and got out of the car 10 minutes later and told Zlatan that he had to give them the money, or else they would be coming to his discotheque and ruin his business. He told Zlatan that Aljoša and Veselin would scare the young people coming to the discotheque, burn their cars and the place itself. On several occasions, Čedomir told Zlatan that Aljoša and Veselin requested EUR 5,000 each, otherwise they would carry out their threats.

Since he knew Aljoša and Veselin often committed criminal offences, Zlatan agreed to give them EUR 3,500. Several days later, as agreed, Aljoša came to Zlatan's discotheque. Zlatan asked him why Veselin had not come, to which Aljoša replied that Veselin was his man and that he would never appear at the discotheque again.

Zlatan took out EUR 3,500 from his pocket and gave them to Aljoša, who left the money on a table and went towards the men's room. It was then that the police intervened and arrested Aljoša, as well as Veselin, who had driven himself to Zlatan's discotheque in the meantime.

Aljoša K. is a citizen of Serbia, a lawyer by vocation. He is not married, and he lives with his mother and father. The family has a house, five business premises and an allotment of 600 m<sup>2</sup>. His father is the owner of all assets.

He had been previously convicted of complicity in a criminal offense and money laundering. He had also been convicted of causing public danger and illegal production, possession and trafficking of weapons and explosives. He had also been convicted of inflicting serious bodily injuries.

Veselin E. is also a citizen of Serbia, a mechanical engineering technician. He finished secondary school, is married and has one underage child. He lives with his wife and son and is employed part-time at a fishmonger's. His monthly income is between RSD 20,000 and 30,000.

He had been previously convicted of the criminal offense of violation of the right to strike and the criminal offense of fraud three times. Furthermore, he had been convicted of the criminal offense of stalking a close person and money laundering. Finally, he had been convicted of violation of social security rights.

As stipulated in the verdict, in his defence Aljoša denied committing the criminal



offense he had been charged with. He said he had never taken any money unlawfully from anyone, because he had never needed it, since he came from a wealthy family. He added that his monthly income was sufficient and that he was lending money to others with an interest rate equivalent to those in Switzerland. Aljoša said that the whole story started when Zlatan said he was not satisfied with the security personnel. Aljoša then suggested Zlatan hired Veselin and paid him EUR 300. After that, he talked to Veselin and suggested going together to the place where Zlatan was in order to avoid a conflict between Zlatan and Veselin. He said he had seen Čedomir and asked him what the truth was, which led to the subsequent argument.

He said that he had left in the middle of the argument and that he heard Veselin say to Zlatan that he “owed” him EUR 5,000. He later changed his statement and said he had never heard Veselin say that. He explained the change in his deposition by stating that right before giving his deposition he had been at the neuropsychiatric ward, where he had received an injection because of a health condition, and that he had been under influence of the injection. According to him, Čedomir called him on the phone a bit later and said that the boss wanted to treat them with EUR 4,000, so that the boys would not come to the discotheque anymore. Aljoša replied that it would constitute a criminal offense, but Čedomir insisted they accept the money.

On the other hand, Veselin also denied having committed the criminal offense he was charged with. He said he had known Zlatan from before, because his wife’s parents lived near Zlatan’s home. He said that Aljoša and he were sitting with Zlatan at the restaurant and asked him to employ him at the discotheque. According to Veselin, Zlatan said he first had to talk to the witness Čedomir, who had been working as a security guard, and that they all went their separate ways after finishing their drinks.

He said that Aljoša and he met Zlatan one evening after a few days in front of Zlatan’s discotheque and that he was curious to find out what Zlatan had decided about hiring him. Zlatan again said he needed to talk to Čedomir and Veselin suggested going to the other discotheque where Čedomir was working, to make a deal. He said that Zlatan had accepted the suggestion and voluntarily sat in the car with them. According to Veselin, when they met with Čedomir, they started talking about who was in charge of security and Čedomir told them it was he who was in charge and that they should stay out of his business because he had four little children and that their conversation ended at that point.

The court accepted the statements provided by the witness Čedomir and Zlatan, the injured party. However, the court dismissed the defendants’ defences. As stated in the verdict, their defences were unfounded and contradictory to the evidence the court had accepted. The court concluded that their defences were created in order to avoid criminal liability, because the accused had not been consistent in their statements.

When deciding on the type and severity of punishment, the court considered both mitigating and aggravating circumstances for the accused, which make the punishment less or more severe. When it comes to the accused Veselin, the mitigating circumstances were that he was a family man with an underage child, while for both another mitigating circumstance was that their behaviour during the trial was fair. However, the court also decided to take into account the fact that both had already been convicted on multiple occasions.

Consequently, the court sentenced them both to one year in prison, respectively. The verdict was passed in 2016.

### Higher court in Šumadija and West Serbia

During 2009, Jovan Z. used threat against Mirjana, her current husband Srdjan and her ex-husband Branislav to get money, while he also forced Branislav to work as a manual labourer without financial compensation in order to pay back a debt.



Jovan Z. had lent Mirjana a total of EUR 500 on several occasions, and he had lent Branislav EUR 100. Then, after September 2009, he threatened to hurt them and their two underage children. He threatened Mirjana and Branislav using the following words, “You idiot, I want you to find EUR 2,000 by tomorrow, or else I’ll kill you all. You, your wife and all your children!” Jovan then threatened to kidnap their children, saying he would not let them go until Mirjana and Branislav paid the debt and the interest.

Mirjana and her current partner Srdjan paid EUR 240 om for the interest and provided 10 m3 of firewood, worth RSD 30,000. On the other hand, he forced Srdjan to work as a manual labourer at the construction of Jovan’s son’s house, free of charge, for 45 days. Jovan thus deprived Srdjan with wages in the amount of RSD 49,500. After all that, Jovan informed Mirjana and Srdjan that they still had a debt of EUR 2,000 without interest, thus committing the criminal offence of extortion.

The accused Jovan is a citizen of Serbia, a railroad worker by vocation. He is married and has four children. He had no previous convictions.

The court sentenced Jovan to one year in house arrest, without electronic surveillance.

The higher court passed all the verdicts related to this case in 2020.

### Higher court in South and East Serbia

In 2018, Miodrag S. tried to force Ivan to give him money by threatening to kill his family.

At the start of 2018, a written note was left at the gate of Ivan’s home in Paraćin, asking him to hand over EUR 25,000. The request also included a threat. It stated that unless Ivan did as requested, something bad would happen to his son in the next two days.

That evening, around 10 p.m., Ivan and his wife Snežana were seeing some guests off, when the wife noticed a black nylon bag next to a wall. She took the bag and brought it inside



the house. In the bag, there was a piece of paper with a blackmail note, asking Ivan to pay EUR 25,000, otherwise his whole family would be killed, especially his son. The same note said that an owner of a dairy factory had given EUR 50,000 or EUR 100,000 so that a similar thing would not happen to them. Ivan and his wife decided to report the case to the police the same night. He went to the police station, told them what had happened and took the content of the black nylon bag.

In the written note, an unknown person said that Ivan should leave the money in the next two days before 10 p.m. behind a kindergarten in a hole that had already been dug out, next to which there were three candles. The note also instructed him to put the money into a black PVC bag first and wrap it with duct tape. Unless he did as instructed, the unknown author of the note would double the requested amount and it was up to Ivan to decide how much he wanted to pay, i.e. how much the life of his son was worth to him.

The police officers who were informed about the incident prepared a package, in which they had put paper and a mobile phone instead of money and Ivan was the only person who knew about that. Two police officers cut the paper to the size of banknotes and put it into a black trash bag. The bag was given to Ivan, so that he could leave it as instructed in the threatening note.

On the day when he was supposed to leave the package, Ivan informed the unknown man that the bag was on the designated spot. He covered the package with soil and left the place. Several police officers were waiting nearby to observe the location, while two more were inside the kindergarten.

Ten minutes after receiving the information, the unknown man came and used his hands to dig out the package. He then took it with him, jumped over the fence and entered his mother's yard, which was close to the kindergarten. He unwrapped the package in the outhouse and saw that it contained paper and a mobile phone instead of money. He switched off the phone, removed the battery and threw it, along with the paper, into the pit containing faeces in the outhouse. He was arrested soon afterwards.

The accused admitted having committed the offense of attempted extortion and did not dispute any item of the indictment.

The accuse Miodrag is a citizen of Serbia and he finished a secondary school of medicine. He is a pharmaceutical technician by vocation. He had two underage children, does not own any property and has not been convicted before.

In his defence before the court, the accused Miodrag said that everything was true and that he was very sorry for everything he had done. However, he tried to explain his actions by stating that the previous year he had read that the church in the village of Stolovo needed a donation of around EUR 25,000. Miodrag said that he wanted to be the donor, but he had to come up with a way to earn the money. At that time, he was living at his mother's house and when he was passing Ivan's house (Ivan is his uncle, as it turned out), he heard voices in his head telling him Ivan and his wife were sinners. Miodrag said that had given him the idea and that was why he had committed the offense he was charged with.

Miodrag added that he would have really given the money for the church if he had not been arrested. He said that he knew whose money he had been supposed to take and that he had had no intention of giving his own money, but Ivan's, although Ivan had not owed him any money.

During house search, a memory stick was found, as well as another clue – an A4 sheet of white paper. The paper contained a title, similar to a cut-out from a newspaper, which said, "Search continues for burglars who killed Laza Romčević (70) from Hrtkovci before the New Year's Eve by strangling him at his home for EUR 20,000". There was also a handwritten message on the paper, in block capitals, which said, "Listen, gentlemen, if you want your child to stay alive, prepare EUR 25,000. You have done wrong to wrong people and we have been paid only EUR 10,000 to kill your descendant, but if you do as told, we won't do it... An owner of a dairy factory paid EUR 50,000 for both sons... It's up to you to decide how much your son's life is worth... Here is a black plastic bag... Put the money in it and bury the bag... You have until Sunday, November 14, 2017 at 10 p.m".

The text from the photocopied paper was in the upper part, in block capitals in Cyrillic, and said, "Search for burglars continues", and ends with, "for EUR 20,000". Under the headline there was a text in block capitals in Latin, which started with, "Listen, gentlemen, if you want your child to stay alive, prepare EUR 25,000". Then there was a part of text in the middle, which said, "It's up to you to decide how much your son's life is worth", followed by "Here is a black plastic bag. Put the money in it, wrap it with duct tape and take it to the old school". The text ended with, "If you don't cooperate, the price will be doubled" and there was a drawing of a black rose in in the upper right corner.

In his defence, the accused stated that he had compiled the text and printed it out and that the same text was in a file on the memory stick that had been confiscated.

Experts from the Special Prison Hospital in Belgrade (SPHB) established that the accused was a person of normally developed intelligence, whose intellectual capacities were in the upper range of average intelligence. As stated in the explanation of the verdict, they noticed permanent weaknesses in his personality related to defence mechanisms, which lead to emotionally unstable characteristics. The weakness in the defence mechanism occasionally leads to being overwhelmed with emotions and a negative impact of emotions on judgement. In stressful situations, according to experts, the accused Miodrag avoids facing problems, and reacts with elevated anxiety and onset of depression. The inflow of negative emotions in the accused leads to decline in the quality of his judgement, simplified explanations of events and actions that have not been well thought through. The findings state that, regardless of the fact that the accused exhibits proneness to depression and that negative emotions affect his judgement, he did not experience distorted reality or significant damage to his working ability and that he was well aware of social norms. No aggressive or anti-social tendencies were exhibited by the accused.

Consequently, the results of examination did not indicate any mental illness, mental retardation, temporary distemper or severe distemper.

Bearing in mind the personality of the accused in the context of this situation, as well as a mild episode of depression, the experts concluded that his capability to comprehend the

importance of his actions and to manage his actions when committing the offense was decreased, but not significantly, which is why no security measure of medical nature was recommended.

Bearing in mind all the evidence analysed, it was estimated that the accused's confession was comprehensive, non-contradictory and that it was not in contradiction with other evidence presented.

The court concluded that the actions undertaken by the accused contained all subjective and objective characteristics of the criminal offense of attempted extortion.

As an aggravating circumstance, the court decided to take into account the fact that the offense had been committed against a relative, while the fact that the accused had not been convicted before was a mitigating circumstance, along with his health condition and the fact that he had confessed the crime.

Bearing all that in mind, the court sentenced the accused to three years in prison.

### **Higher court in Vojvodina**

In 2016, Aleksej, Gavriilo and Uroš sent several threatening messages from various phone numbers, thus endangering the safety of Strahinja and his family, in order to force him into giving them EUR 25,000.

Strahinja Z. received the first threatening SMS in late November of 2016. The message from a number unknown to him said, "Respect to the Z company. For the future safety of your family and your business, you have to prepare EUR 25,000 before Sunday. I think this message is convincing enough and that we don't need to demonstrate our power, but if we have to, your vehicle SU-ZHR123 is the first target. I hope it won't lead to that and that you'll cooperate. Understandably, without the police. We are monitoring all of you closely. We'll inform you about the future cooperation in due course. Unless the requested amount is ready on Sunday, all hell will break loose." Strahinja showed the message to his wife Nataša, and they reported the threat to the police immediately.

Strahinja received the second message three days later, from another unknown number. The message urged him to take it seriously and that he should reply with a "yes" or "no" regarding the money in the next 30 seconds. Strahinja replied by saying he was using his overdraft and that he needed time, because he did not have enough money. He then received two phone calls. The first one was cut off immediately, while the second was answered by his wife. A muffled male voice said, "Get the money ready".

Strahinja received three more messages the following day after midnight. The first one was, "You are cooperating with the police, right? That makes us very angry!". The second said it was not a mistake and that some unknown people would make him realise that unless he cooperated. The last message he received that night said, "Typical racketeering for your peaceful life".

A week after the first threat, on Monday at around 2 a.m., the unknown people

contacted Strahinja for the last time. He then received three more messages containing threats and questions whether the money was ready and asking him to report before 6 p.m. the next day how much money he had prepared. At the end of the last message, he received advice to cooperate without police involvement, since that would make everything much easier.

Strahinja sent several replies to these messages. He told the unknown senders that he had prepared some money and that he needed more time to get a bank loan.

He told his mother and brother about the threatening messages and his whole family was scared. Strahinja's mother and brother live in the neighbourhood, and they all agreed to give as much money as they had to pay the people who were threatening Strahinja.

As the explanation of the verdict states, Strahinja is a firefighter by vocation and his income is not great. At that time, he took time off work because of fear and stress. His wife owns a company dealing with trade of technical gases and propane gases for households and is sometimes helped run the company by Strahinja's mother. The company does not a large profit and once taxes and other contributions are paid, she is left with an average salary.

When taking the actions described, Aleksej, Gavrilko and Uroš committed the criminal offense of complicity in extortion.

The accused Aleksej is a citizen of Serbia, a car mechanic by vocation. He is not married and has no children and he finished a secondary technical school. He is temporarily employed at a warehouse, earning around RSD 58,000 a month. He has not been convicted before. No other proceeding is currently in progress against him, and he was released pending trial.

The accused Gavrilko is a citizen of Serbia, a driver by vocation. He is not married, has no children and he finished secondary school. He owns a transport company and a van. He used to be employed at Strahinja's older brother's company. Even though he has his own company, he is also employed part-time at another, making around RSD 40,000. He had previously been convicted of illegal production and trafficking of narcotics. However, he reached an agreement regarding that criminal offense during the current proceeding, so he was given a suspended sentence.

The accused Uroš is a citizen of Serbia, an economic technician by vocation. He is not married and has no children. He finished a secondary school of economics. He owns no property and occasionally works as a plumber, making an income of around RSD 50,000 a month. He had not been convicted before. No other proceeding is currently in progress against him, so he was released pending trial.

The court established that on the day when the first message was sent, all the accused had a deal that Aleksej, who was Strahinja's neighbour, should go to his house and that Gavrilko and Uroš should ask for money via SMS.

As the verdict states, Aleksej was supposed to let Gavrilko and Uroš know if Strahinja left in his car. Aleksej was standing on the designated spot, but Strahinja did not go anywhere in his car. After some time, Aleksej called Gavrilko and told him they had called Strahinja and that had told them he had no money, but that he would get it in the next few days. They then

agreed to go home.

The accused were sending messages from various SIM cards, which they destroyed immediately after sending the messages. All messages were sent from different places and each of them had a role: Aleksej was monitoring Strahinja's movements, while Uroš and Gavriilo were changing locations and sending threatening messages.

The court accepted the testimonies of Strahinja, his wife, his mother and his brother. On the other hand, the testimonies of the accused were mainly dismissed as incredible.

In his defence, Aleksej said that it had been joke and that they had done all that because he had liked Strahinja's wife. He stated that they wanted to scare Strahinja, because "when a man likes a women, he is ready to do anything". He emphasised that it had been a bet, because Uroš told him that if they continued, the police would surely catch them, while Aleksej was convinced that they would not be arrested for their actions. Aleksej also said that they intended to ask for EUR 2,000, but that he had been typing the message while driving and that his finger had slipped and typed EUR 25,000. He stated that they were sure that they would not get the money. He added that, before he was arrested, he tried to get in touch with Strahinja to apologise and tell him it was a joke. However, only Gavriilo had Strahinja's phone number, but Gavriilo did not answer Aleksej's call, because he was with his girlfriend. The court dismissed this defence and Aleksej often changed his account of the events during the trial.

On the other hand, Gavriilo completely denied having committed the criminal offense. He claimed that, at first, he had not known that Aleksej had been sending messages to Strahinja. According to Gavriilo, Aleksej and Uroš only told him they had been sending messages to Strahinja after five days, but they did not tell him what the content of the messages was. He stated he had warned them and said he too would be considered an accomplice if the police found them in his apartment. Aleksej and Uroš tried to reassure him, saying that no-one would be caught. Gavriilo said that it was only later that he had realized that they had been sending messages from his phone, which he had previously lent to Aleksej, and that Aleksej and Uroš had left that phone in his apartment, without him knowing about it. He also stated that he had not touched that phone and had not known whether there had been a SIM card in it. Gavriilo added that when he had found out what had been going on, he had seen it as a joke and that he had been thinking about going to Strahinja to apologize, but had failed to do that because he had not wanted to be seen as responsible. The court dismissed his defence.

Finally, in his defence, Uroš said that he had not tried to extort money from Strahinja and that he knew nothing about it. He said that he had had a bet with Aleksej and betted his motorcycle that Aleksej would not have an affair with Strahinja's wife before the start of 2018. He added that he did not know what Strahinja did for a living and that the phone mentioned in the criminal complaint belonged to Gavriilo, that he had never had it or used it. Uroš stressed that he had a mother and grandmother whom he could turn to in case he had financial problems, and that he had no such issues. He said that he had only borrowed a phone from Aleksej once to check whether he had received messages from his girlfriend. The court dismissed this defence, as well, as incredible.

All the accused were changing their testimonies, while Aleksej was adjusting his on several occasions to be in line with the defences of other accused.

The court concluded that the actions undertaken by the accused contained all subjective and objective characteristics of the criminal offense of complicity in extortion.

The court took into account the mitigating circumstances that all the accused were young at the time when they committed the offense and the fact that Aleksej and Uroš had no previous convictions. The court did not take into account the aggravating circumstance that Gavriilo was convicted, because at the time when the offence was committed he had no previous convictions and that he reached an agreement to confess the first criminal offense during the main hearing relating to this criminal offense. The court took into account as the aggravating circumstances the high level of force and threat used against Strahinja, since they were directed towards his and the lives of his family members.

The higher court sentenced each of the accused to three years in prison.

The verdict was passed in 2020.

### **Primary court in Šumadija and West Serbia**

In 2013, Miloš J. and Siniša H. spend one whole night using force and threat to extort money from Mateja Z. During that night, their friend Ratko P. inflicted a bodily injury to Mateja.

In the middle of the night in Kragujevac, according to a previous agreement, two men and one girl came into the family house of tattoo artist Mateja. One man, Miloš, asked Mateja to do a tattoo on his body for free. When Mateja refused to do that, Miloš told him he would break his nose and slapped him several times on the head. After that, Miloš asked Mateja to give him EUR 1,040 and requested that EUR 40 be given the next day. He asked for EUR 500 to be delivered in the next 15 days. Meanwhile, the other man, Siniša, kept telling Mateja that many bad things would happen to him unless he paid.



Miloš and Siniša, accompanied by Siniša's girlfriend, left Mateja's home with Mateja. They all sat in a taxi and drove to Miloš's apartment. There they continued threatening Mateja, warning him not to tell anyone about the event. The third man, Ratko, during the argument between Miloš and Mateja, used a knife he had been waving and cut Mateja's right hand and forearm. After that, Mateja said he would give them the money they wanted, after which he was allowed to leave Miloš's apartment. Mateja reported the incident to the police immediately after that.



Miloš and Siniša committed, as accomplices, the criminal offense of attempted extortion. Ratko committed the criminal offense of light bodily injury.

Miloš J. is a citizen of Serbia. He finished secondary school, he is not married and has no children, nor does he own any property. He had been convicted three times before for the criminal offense of illegal possession of narcotics, which is why he had been sentenced to prison and had some objects confiscated on several occasions. Furthermore, he had been convicted of grand theft, as well as of illegal production, possession, carrying and circulation of weapons and explosives, and he had already spent a few months in prison because of those offenses.

Siniša H. is also a citizen of Serbia, who finished primary school. He is not married, has no children, and he owns a house. He had been convicted once before because of illegal possession of narcotics, which is why he had served a prison sentence of one year and six months.

Ratko P. is a citizen of Serbia, he finished secondary school and is a waiter by vocation. He has no children or property, and, like Miloš, he had been convicted several times before. He was in prison for inflicting grave bodily injuries, endangering safety using threat, extortion and twice for grand theft. Also, he had been convicted of the criminal offense of illegal production and trafficking of narcotics. Furthermore, he had been convicted once for the criminal offense of insurance fraud.

The primary court sentenced the accused who had committed extortion, Miloš and Siniša, to one year in prison each. The third accused, who had inflicted a bodily injury to Mateja, was sentenced to six months in prison. The verdict was passed in 2019.

### **Primary court in Šumadija and West Serbia**

In the middle of one night in 2016, Bojan Z. and Milutin A. went to the house of Luka M., who was sleeping in order to use force and threat to extort money from him.

The two men came into Luka's house in Šabac around midnight, because the front door was unlocked. Luka was sleeping in the living room, when Bojan woke him up, while Milutin sat in the armchair next to the couch. Bojan asked Luka why he was spreading rumours about him around the town, while Luka claimed he had done no such thing. After a short argument, Luka got up from the couch and Bojan pulled him and threw him on the table. When Luka started bleeding from the nose, Milutin gave him a cloth to wipe the blood off and asked for money. Luka took RSD 5,000 from his trousers and gave him, after which Bojan and Milutin started leaving the house. While exiting the house, Bojan threatened Luka not to report the incident to the police. He cut the phone cable and threw Luka's mobile phone into the corner of the room. Then they left the house, locked Luka in his own house, went to the town centre and spent the money on drinks, dinner and taxi.

In doing so, the accused Bojan and Milutin committed the criminal offense of complicity in extortion.

The accused Bojan Z. is a citizen of Serbia, a manual labourer by vocation. He finished

primary school and has no property. He had been convicted before for domestic violence and illegal use of other person's vehicle, as well as grand theft on three occasions. Bojan had also been convicted of inflicting light bodily injuries. During this trial, another proceeding was in progress against Bojan, who was charged with grand theft.

The accused Milutin A. is a citizen of Serbia, a driver by vocation. He is not married, and he finished secondary school. He owns no property, while he had been convicted five times before for the criminal offense of grand theft. Milutin had also been convicted of complicity in theft and twice of burglary and theft. During this trial, another proceeding was in progress against Milutin, who was charged with grand theft.

The primary court sentenced Bojan and Milutin to one year and two months in prison. The verdict was passed in 2018.

### **Primary court in Šumadija and West Serbia**

In 2017, Mladen G. tried to use force and threat with a knife to extort money from Srdjan H.

One evening in Požega, while Srdjan was with his girlfriend in a park, a stranger approached him and asked him to have a chat with him. He took Srdjan to a street near the park, put his arm around his neck and pressed the knife he had taken out of his pocket against Srdjan's stomach. Then he asked him, "Whose dad did you get in argument with?", referring to an incident that had occurred between Srdjan and the man's father.

When Srdjan told him he did not know what the man was talking about, the man replied, "That's my dad". The man then hit Srdjan in the head with the knife handle several times and said that the damage on his father's car was EUR 120 and that Srdjan should pay him EUR 500 and tell the court he was responsible for the accident and to withdraw his charges.

He then warned Srdjan not to call the police or tell anyone about what had happened, otherwise he would kill him. The man told Srdjan he had 15 days to pay the amount requested. When Srdjan, who took the threat seriously, asked him to extend the deadline to 20 days, the man headbutted him in the nose and left.

Soon after that, the man phoned Srdjan and asked him, "When will we see each other about that thing?", after which he sent another message, "You really have balls", because he had not received a reply. Afraid for his life, Srdjan reported everything to the police.

The accused Mladen thus committed the criminal offense of attempted extortion.

Mladen G. is a citizen of Serbia, and he finished secondary school. He is a cook by vocation, employed and he earns around RSD 30,000 a month. He is not married and has no property. He had been convicted before of inflicting light bodily injuries. No other proceeding was in progress against him during this trial.

The primary court passed a suspended sentence to Mladen G. He was sentenced to six



months in prison, but the action was not to be implemented unless the defendant committed another criminal offense in the next 12 months. The verdict was passed in 2018.

### Primary court in Vojvodina

During two days in 2017, Tomislav Z., Nenad S. and Nikola G. used threat and subsequently force to extort money from Saša L.

At the end of November 2017, in Bela Crkva, Tomislav, accompanied by two of his friends, Nenad and Nikola, asked Saša to get out of a barbershop and get into a car with them. When Saša got into the car, Tomislav asked for RSD 50,000 from him, as a compensation for “having ratted on him” to the police before. Tomislav threatened Saša, “Do you want us to drive you to the ‘Blue spa’ or leave you in the town centre?”. The term ‘Blue spa’ has a specific, local meaning, representing a complex of small, very deep lakes near the town.

The day after the threat, Saša was returning from a football match from Belgrade with his friends. They stopped in Pančevo to eat, and Tomislav and Nenad were in front of the pizzeria. Tomislav pushed Saša into a car, while Nenad prevented Saša’s friends from helping him get out of the car. After that, Tomislav sat next to Saša in the backseat, while Nenad sat in the passenger seat. Their friend Marko was behind the wheel.

They drove towards Bela Crkva and during the ride Tomislav repeatedly punched Saša and hit him with the elbow in the head. He told Saša they would not let him go alive after that, that they would beat him up and leave him by the road, calling him “a cunt” and “a rat”.

Halfway between Pančevo and Bela Crkva, Marko stopped the car. There was another car coming towards them from the other direction. The other car stopped, and Nikola got out of it. Tomislav, Nenad and Marko got out of the car in which Saša was, who used that opportunity to call his father. Soon afterwards, Tomislav sat in the other car.

After everyone except Tomislav got back into the car, Nikola sat on his place and told Saša that he “shouldn’t have done that” and that he should “look at what was happening because of him”. He then slapped him several times. Saša then said that he would give them the money they wanted, to what Nikola replied, “Of course you’re gonna give it”.

The car with Saša and the accused was driven by Tomislav and they stopped at a petrol station to fill up. At that moment, a van with Saša’s friends drove by the petrol station, so both cars started following them until the next petrol station, where they all stopped. They got out of the car and got into a fight with Saša’s friends. Saša remained in the car during the fight, with the driver, Marko.

When the fight was over, the accused returned to the car and Marko drove them to a motel. There Tomislav took Saša out of the car and slapped him several times. The blows made Saša fall on the ground, after which Tomislav kicked him in the face. They later drove to a newsagent’s in the town centre and let him go home, and Tomislav warned Saša not to report the incident to the police.

The accused Tomislav Z. was born in 1995. He is a citizen of Serbia and has been convicted previously. He was released pending trial. He was the only one who was sentenced to prison in the first verdict.

The primary court acquitted Nikola and Nenad. Several months later, after an appeal submitted by the primary public prosecutor, the verdict was amended.

In his defence, Tomislav Z. stated that Saša had voluntarily entered the car in front of the pizzeria and that he himself had never punched him, neither there, nor by the motel. He said that he had never asked for money, because he knew Saša had no money. At the main hearing, he repeated this statement and added that there was no agreement between Nikola, Nenad and him to extort money from Saša.

In his defence, Nikola G. also stated that he had never asked for anything from Saša, nor had he attempted to ask and that he had never owed him anything. Nikola claimed that on the day in question he had received a phone call from a friend who told him that a car Marko had been driving had broken down. He and the friend who called him then got into another car and went to help Marko jump-start his car, which he did on the road between Pančevo and Bela Crkva. They then towed the broken car to the first petrol station to fill it up. He allegedly got into the car Marko was driving and set next to Saša, and he never used any force against him. He added that they drove from the first to the second petrol station, where they got into a fight with Saša's friends, after which he ran away. In his defence, he said he had known Tomislav and Nenad from before and that Saša had never owed him any money, but he did not know whether he owed it to Tomislav and Nenad.

In his defence at the main hearing, Nenad S. said he had not committed the criminal offense of attempted extortion and that he had nothing to do with this offence.

The witness, driver Marko, said that Tomislav and Nenad had called him to drive them to Belgrade that day. On their way back from Belgrade, they stopped at the pizzeria in Pančevo to eat. In front of the pizzeria, they met Saša and his friends, who were returning from a football match. He got into the pizzeria and when he came out, Nenad, Tomislav and Saša were already sitting in the back seat. On the way from Pančevo to Bela Crkva, according to him, they ran out of petrol and the other car, in which was Nikola, suddenly appeared. This car towed them to the first petrol station, where Nikola got into their car and Tomislav left and got into the other car. They then drove to the other petrol station, where Nikola, Nenad and Tomislav got into a fight with Saša's friends. When the fight was over, he drove Saša, Nenad, Tomislav and Nikola to the motel. When they all got out of the car, he went his own way to light a cigarette and when he returned ten minutes later, he realised there had been a conflict, because Saša's nose was bleeding. After that, they drove Saša to the town centre, i.e. to the newsagent's. During the ride, while he was driving, he did not hear that anyone threatened anyone in the car, nor did he see anyone hit anyone.

As stated in the first verdict, it was impossible to see Saša in the video recording from the petrol station. The explanation of the verdict stipulated that throughout the trial, Saša had been reiterating that only Tomislav had asked for money from him and that other accused persons had never threatened him verbally or physically, nor asked for money. However, Saša had previously said that Nikola slapped him a few times in the car.

The first verdict also stipulated that Saša's friends had changed their depositions during the trial, which is why the court found them to be only partially true, which was modified in the amended verdict.

The primary court also wrongfully evaluated the statement of the accused's friend Marko, the driver. His testimony was not accepted in the amended verdict as valid, because it was contradictory to Saša's testimony, the testimonies of his friends and the medical documentation. Bearing in mind Marko's friendly relationship with the accused, the court concluded that he had failed to present the court with a truthful account of what had really happened and how the accused treated Saša.

Eventually, in the final verdict, the court found that all three accused persons had acted in accordance with a previous arrangement and that their actions had indicated there had been a clear delegation of tasks. Tomislav repeatedly used physical force against Saša, while Nenad prevented Saša's friends from helping him, thus enabling Saša to be taken away against his will. The accused Nikola was also found guilty, because he had slapped Saša several times in the car.

All three of the accused took actions they had consented to, which is why the court concluded that there was a shared will to extort money from the injured party, i.e. Saša.

In the amended verdict, the appellate court sentenced Nikola G. to one year in prison and he also received an additional punishment of six month for preventing an official in discharge of duty. He was sentenced to a concurrent punishment of one year and three months in prison.

The appellate court sentenced the accused Tomislav Z. to one year and eight months in prison, while the accused Nenad S. was sentenced to one year in prison. The amended verdict was passed in 2019.

#### **Primary court in Belgrade (Case 1 – criminal complaint no. 186/15 – Primary court in Lazarevac)**

Between the end of 2013 and the end of 2014, Radovan S. used threat and force against Ivana L. to extort money from her.

In November 2013, Ivana received a threatening call and the message was, "Hey, you need to bring me RSD 300 to the fairground! Otherwise, I'll come to your home and bang the door!". The call was from Radovan, whom Ivana had known for a long time as a family acquaintance.

Radovan phoned Ivana several times that day and tried to extort money from her using threat, "Hey, get out of the house, or I'll break into it, it's your call!" One month later, he asked for RSD 500 from her in front of her family home in which she lived, saying, "If you don't give me RSD 500, I'll slaughter Nena", referring to Ivana's underage daughter. Radovan then told Ivana he was waiting for him at the main bus station in Mladenovac to bring him the money.

Several months later, Radovan followed Ivana while she was taking her underage

daughter to school. He then tried to extort money from her again, using the following threat, "I'll fuck your Anastasija, I'll fuck her dead!" and he applied force by pulling Ivana's hair in front of her underage daughter.

Next, Radovan asked for money from Ivana in the yard of the home in which she lived and threatened by saying, "Get out at once or I'll break into your house!" Then, at the end of 2014, he called her almost every day for two months, followed and intercepted her in the streets of Mladenovac. He threatened her and asked for money and Ivana gave him RSD 200 or RSD 500 almost every day and even brought out some food to him when he would come to her home. He once intercepted Ivana in the street and threatened her by taking a knife out of his jacket and showing it to her. He asked her to follow him and give him some money and she once again gave him RSD 200 and a packet of cigarettes.

The accused Radovan S. was born in 1984. He is a citizen of the Republic of Serbia and he finished primary school. He is a manual labourer by vocation, he is not married and has no children or movable assets. He had already been convicted once for robbery and four times for theft. He had also been convicted of the criminal offense of petty theft, embezzlement and fraud.

In his defence, Radovan said that all the money he earned he in fact gave to Ivana. He claimed he had never threatened her, nor come to her yard and stated that he had not been seeing her in that period, because he had not been in Mladenovac, but in Mionica, where he had been working at the time. He said he had not had any contact with Ivana, neither in person, nor over the phone. The accused stated he did not know the reasons why Ivana had reported him and that they had been in a relationship for more than five years. According to him, he ended the emotional relationship with Ivana, because she had been seeing a man she had a child with while they were together. He said he did not know why she had reported him to the police.

However, Ivana stated that she had never been in a romantic relationship with him and that he had never asked her to be with him and that she had known him for a long time, because he had been in prison with her father. Having served his sentence, Radovan started working for Ivana's mother as a day-labourer. Ivana said that while Radovan had been working for her mother, she would bring him food and beer and often gave him money. She remembered giving him RSD 800 the first time and claimed that she had been giving him the money he asked for because she had been trying to protect her children, who had been afraid of him.

The court accepted Ivana's testimony completely, and it was later confirmed by a statement of witness Slobodan.

Witness Slobodan said that he knew the injured party by sight and that he was friends with her parents. He said he remembered an event that took place in front of the health centre, when he was going to buy medications. He said that he had seen Ivana, who was with her child and the accused. Ivana greeted him by waving her hand and the witness heard when the accused said to the injured party, "If you don't bring me the money, I'll kill your daughter." The witness said he was afraid to approach Radovan, because he was an elderly man. Slobodan also stated that he had also previously heard Radovan threatening Ivana in the yard, asking for money.

An expert psychiatrist diagnosed Ivana with an anxious-reactive state, caused by threats of a person unknown to her, who was mentally and physically abusing her in front of her child. According to the specialist, Ivana had feared Radovan for a long time.

The relatively young age of the accused was taken into account as a mitigating circumstance, while the fact that he had been convicted of similar criminal offenses previously was an aggravating circumstance.

The primary court sentenced Radovan S. to one year and six months in prison for the extended criminal offense of extortion.

However, because he had a suspended sentence because of another criminal offense, the court sentenced him to a concurrent sentence of two years and nine months in prison. The verdict was passed in 2019.

### **Primary court in Šumadija and West Serbia**

In 2013, Marjan S. used threat and force to extort money from his former colleague Slavko G., and he also stole a TV set from Slavko's home.

In the summer of 2013, in the town of Brus, Marjan S. entered the apartment of an elderly man, Slavko, beat him up and forced him to give him EUR 150. Marjan then took one LCD TV, worth RSD 25,000, from Slavko's apartment. He pushed Slavko away, unplugged the TV set and took it to his home.

Before the day in question, Slavko and Marjan used to work together as nightguards at a company and they were both fired the same summer. According to Marjan, they were fired because Slavko had not been performing his duties diligently, which made Marjan very angry. Having lost the job, Marjan sent several threatening SMSs to Slavko and since they knew each other well, he also went to his home, where he blamed Slavko for the loss of the job. He beat Slavko up and, as Marjan claimed, asked for EUR 150 to make the ends meet. Slavko gave him the money and Marjan went on to take the TV to his home, in order to play video games, as he claimed. Slavko, an elderly man, tried to stand up to Marjan, who then pushed him away. Marjan then disconnected the TV, unplugged it and took it home, while Slavko was in the room.

In doing so, Marjan S. committed the criminal offense of extortion and grand theft.

The accused Marjan S. is a manual labourer, who finished primary school. He is not married, has no property and is unemployed. He had been previously convicted twice of violating other people's rights, as well as of ruining the reputation for racial, religious, ethnic or other affiliation. He had also been convicted of destroying and damaging public devices and, finally, for the criminal offense of assault against serviceman on duty.

In his defence, Marjan S. said that he had lost his job because Slavko had allowed for a theft to occur, which had caused damage to the company and, as a result, they were both fired and did not receive their salary. Marjan said he had been angry with Slavko, because his

existence was in danger, which is why he asked for RSD 15,000 from him. According to him, Slavko gave him RSD 10,000 and because he did not give him the required amount, Marjan took his LDC TV.

Slavko approached him and tried to grab his hand in order to prevent him from taking the TV, which made Marjan nervous, so he pushed Slavko away. The accused then reached the TV, disconnected and unplugged it and took it outside to his car. He then took the TV to his home, where he kept it, but he did not use or sell it. After the police called him regarding the incidents, Marjan returned the TV to Slavko and he paid him back the money he owed him later, in three instalments.



In his testimony, Slavko said that he had gone to school with Marjan's mother, that the two men had started hanging out in cafes and working at that company. However, the problem appeared when they were fired because of his fault.

As the verdict states, the accused Marjan had sent several threatening messages before extortion. The messages included, "Call me when you see the phone", "The line was busy a few minutes ago", "You don't want to answer my call", "Don't send me the money through anyone. Thank you even more", "I'll shit on you", "Pick up the phone, you fucking cunt", "You piece of shit! I have nothing to lose anymore", "Call me while we still can smooth everything out", "Call me tomorrow, my bonus expires tomorrow", "Pick up the phone. I'll fuck your mother, mark my words", "The post is about to close. What's going on, bro?", "Bro, pick up the phone. Don't fuck with me", "Don't fuck me, bro", "Don't make your life shitty, old man. Call me".

Slavko gave Marjan the money after receiving beatings and threats. He was afraid for his life and safety, because he knew Marjan was stronger because he was much younger.

The court found Marjan S. guilty of the criminal offenses of extortion and grand theft, and there were no circumstances that would decrease or diminish his accountability and liability.



Marjan's age and his social status were taken into accounts as mitigating circumstances. As stated in the explanation of the verdict, Marjan was a young man, unemployed, with no income, who had shown remorse for the offense he had committed. The court also took into account the fact that Slavko had not pressed any individual criminal charges against Marjan and that Marjan had returned both the TV and the money he took from Slavko. The fact that Marjan had been previously convicted on several occasions was taken into account as an aggravating circumstance.

The primary court sentenced the accused Marjan S. to a concurrent sentence of five months in prison. The verdict was passed in 2016.

### **Primary court in Vojvodina**

One whole night in 2015, Martin K. and Fedor D. were abusing Zoltan and forcing him to give them money. During the night, they forced him into signing a power of attorney, which would allow the two of them to dispose of Zoltan's car.

At the end of November, in Mali Idjoš, Zoltan received a call from the woman he was in an emotional relationship with, to help her solve a problem. That evening, Zoltan drove to her home, where she was waiting for him with her children. Marta wanted to borrow EUR 50 from Zoltan to buy food for her baby. Zoltan did not have that money with him but promised to bring the money in the next few days.

Marta's three friends, Martin, Fedor and Norbert, came to Marta's home the same evening and Martin and Fedor started punching and kicking Zoltan in the head and the body. While assaulting him, they first asked him for EUR 50, while later they asked for EUR 500. Since Zoltan did not have that money with him, after several hours of abuse, they forced him to sign a power of attorney, which would allow Marta to dispose of Zoltan's car, worth around RSD 120,000. Zoltan then gave them the car keys and registration, after which they took the car to a pawn shop, from which they borrowed EUR 500, which they were supposed to pay back in a month's time. They pawned Zoltan's car as a security for the loan. However, since they failed to pay back the money before the deadline, the car was sold in parts to an unknown person.

The accused Fedor, born in 1988, is a citizen of Serbia and Hungary. He finished secondary school and is a waiter by vocation. He is employed and earns around EUR 300 a month. He is not married and has no children. He had been previously convicted and during the trial he was in detention in Subotica.

The accused Martin, born in 1984, is a citizen of Serbia and he has been convicted on several occasions, primarily because of the criminal offense of rape and the criminal offense of grand theft, for which he was sentenced to intensive supervision for a period of three years. Furthermore, he was sentenced to a suspended sentence of one year in prison for another grand theft. He was again convicted of grand theft and forgery of identification documents and sentenced to one year and eight months in prison. Next, he was again sentenced for grand theft and deforestation to one year in prison. Also, for the criminal offense of forest theft, he was sentenced to three months in prison, while he was sentenced to four months in prison for the criminal offense of complicity in crime. Martin was also convicted of illegal possession of narcotics and sentenced to 60 hours of community service, while because of another grand theft he was sentenced to one year in house arrest. Finally, he was sentenced yet again to one



year in house arrest for another grand theft.

The trial was organised in Martin's absence, because he had been unavailable from the start of the trial.

Based on the testimony of the injured party Zoltan, Marta and Zoltan had been in an emotional connection until the night in question. Three men came to her house, and he only knew Martin. As soon as Zoltan stepped into the house, Martin slapped him while sitting on a bed. Having slapped him, he told Zoltan that EUR 50 would not be enough and that he needed to give EUR 500. When Zoltan said he did not have that much money, Martin and Fedor asked him to give them his car as a security until he paid up EUR 500 they requested. Since Zoltan did not agree to do that, all three slapped him and punched him in the face. Then one of them kicked him in the ribs, which caused a rib fracture.

According to Zoltan, the three men arrived at Marta's home at around 10 p.m. and they were abusing him until 3 a.m. The abuse continued until Zoltan signed a document that had been drafted and handwritten on the spot by Norbert. The text was in Serbian and Zoltan did not read it, because he was exhausted and could not understand Serbian well. The men told him he had to sign that paper and they beat him up to make him do so.

They drove Zoltan home after he had signed the document, but they had first taken his car keys, while the registration remained with Zoltan. The men told him they would return the car when he gave them EUR 500. After that, Zoltan went to a health centre, from where he was sent to hospital. The attackers told Zoltan he should under no circumstances report the incident to the police or they would kill him and his family, which is why at the health centre he said he had received the injuries in a fight in front of a discotheque.

After the night in question, Zoltan did not meet the three men. However, several days later he received an SMS, warning him to look after himself because they were going to kill him. He did not know who had sent the message, because he could not recognise the number, but he suspected it was the three men, because, as he said, he had no other enemies.

In her testimony, Marta said that that evening she had received a call from her friend Martin, who asked for RSD 1,000 from her. She said she did not have any money and mentioned that Zoltan was at home with her. Soon afterwards, Martin came to her house and immediately asked Zoltan for RSD 2,000, but he told him he did not have that much money with him. Martin was drunk and was acting aggressively, speaking in loud voice and he told Zoltan that if he wanted to be with Marta, he should bring EUR 50 and some meat from a butchery. Zoltan was afraid of Martin, so he took out RSD 2,000 and gave it to Martin, after which Martin took RSD 1,000 and left. The accused Martin did not hit either Zoltan or Marta at that point, but he was getting in their faces and shouting at them. After less than one hour, the accused Martin returned to Marta's home, accompanied by Fedor and Norbert. Right on the doorstep, Martin slapped Zoltan so hard that he laid on the bed, although he had been sitting on it.

According to Marta's testimony, Martin then asked Zoltan whether he would bring him EUR 50 the next day and whether they had an agreement, while Fedor hit Zoltan. After that, Martin and Fedor were punching and kicking Zoltan in the head and the body. During that time, Norbert was sitting in an armchair and calmly commented that he was enjoying himself, like in the cinema. When they stopped beating Zoltan up, they put some white powder on the

kitchen counter and snorted it. They took a bottle of brandy from a shelf and drank it and they told Marta she had better take their side, or she would be beaten up. They then forced brandy down Zoltan's throat by pushing the bottle down his throat.

According to her testimony, the three men came to her house at around 10 p.m. and stayed there until 6 a.m. At around 2 p.m., they asked Zoltan for EUR 500.

At one point, Fedor told Marta she had to hit Zoltan and do what they told her, and she obeyed. While the events unfolded that night, Marta's children were at home: two children of a legal age, three underage children and an adopted son of a legal age. They were in another room the whole time. On one piece of paper, Norbert wrote that Zoltan gave Marta the power of attorney to dispose of his car and Zoltan eventually signed that paper. Despite having received the power of attorney, Martin and Fedor continued to demand EUR 500 from Zoltan and beat him up.

According to Marta, Zoltan was driven to his home by her son and Norbert, while Zoltan's car remained in front of her house, together with the registration and keys. On the same day, at around noon, Martin and Fedor came to her house again and asked for the keys to Zoltan's car. Since she initially refused to give the keys to them, they threatened to hurt her children, shouted at her and banged the table. Eventually, she gave them everything they asked for: the keys, the power of attorney and the registration. Fedor and Martin drove the car to the pawn shop and they told her they had got EUR 400 and that her share was EUR 100, which she handed over to the police in the end.

The court considered the testimony of the third man, Norbert, and accepted the parts that confirmed the statements of Zoltan and Marta. He met Martin and Fedor in prison, and they used to see each other occasionally after they had served their respective sentences. He had known Marta from before, since she was working as a waitress in a bar. He saw Zoltan for the first time ever on the night in question. Norbert said that the accused had come to his home and after they had drunk a few beers, Martin talked to Marta on the phone and said they were going to her house.

According to Norbert, when they arrived at Marta's house, they saw Zoltan and her children there. Norbert then sat with her son in the kitchen, while Zoltan and the others were in the room next to the kitchen. The door between the kitchen and the room was closed at all times and Norbert was mainly sitting in the kitchen and only occasionally came into the room. No shouting or noise could be heard from the room. When he came into the room, he heard they were asking Zoltan to pay EUR 100 to Marta, since he owed her that money. Zoltan kept saying that he did not have the money with him, and they were punching him in the face.

He saw that Zoltan's eye was swollen and told them to stop beating him, but they did not listen to him. They were taking turns while punching Zoltan, who was sitting. Zoltan did not say a word, nor did he complain or call for help. Norbert added that Fedor and Martin had been quite drunk and that he himself had drunk a lot of alcohol that night.

Norbert said that Fedor and Martin wanted to take the car from Zoltan until he brought them EUR 100.

Since he did not want them to trick Zoltan, because Norbert knew that Zoltan's car was

worth more than EUR 100, he suggested to draft a document which would state that he was leaving his car as a security until he paid back the money he owed Marta. Next, Norbert and Zoltan signed the paper, because the others did not want to.

As stated in the verdict passed by the primary court, in his first testimony, the accused Fedor denied committing a criminal offense, stating that the statements in the criminal charge were not truthful, that he did not know Zoltan and that he only had circumstantial knowledge of the incident. However, he later confessed committing the criminal offense he was charged with, stating he was changing his testimony to that effect and that he was willing to pay EUR 1,000 to Zoltan as compensation.

During the trial, the court never questioned the accountability of the accused and concluded that at the time the offense was committed they were fully accountable and could manage their actions.

The primary court found that the actions taken by the accused Martin K. and Fedor D. comprised all elements of the criminal offense of complicity in extortion.

The accused Fedor D. was sentenced to a suspended sentence of one year and six months in prison. The punishment will not be enforced unless he commits another criminal offense in the next four years. On the other hand, Martin K. was sentenced to one year and six months in prison. The verdict was passed in 2019.

### **Higher court in Šumadija and West Serbia**

During 2009 and 2010, Radovan S. and his now deceased father used force and threat against three people in order to force them into transferring ownership rights over their houses and giving them money.

At the end of 2009, Miroslav borrowed EUR 7,000 from Radovan and his now deceased father, Dragan, with an agreement that Miroslav should pay back EUR 15,000 in one year's time. Next, Radovan and his father, immediately before and during the trial before a primary court, forced Miroslav to give up his house, worth RSD 1,606,338.

They managed to do that by having Radovan sitting next to Miroslav during the court proceeding. When he noticed Miroslav was hesitant to answer whether he was giving up his property, Radovan kicked him several times on his legs. So, Miroslav, afraid for his safety, gave an affirmative answer, thus allowing Radovan and Dragan to gain unlawful gain in the amount of RSD 6,933,028, which is the difference between the borrowed amount and the value of the sold property. By taking part in this arrangement, Radovan committed the criminal offense of complicity in extortion.

He was also accused of the incident related to the period between July and November 2009, when he and his father used force and threat to force two people, Ivan and Nataša, to give his father over two million dinars to their own detriment. His father loaned EUR 1,400 to Ivan, with a monthly interest of EUR 300. Ivan handed EUR 4,500 to Dragan, but Radovan and his father continued to put pressure on Ivan to transfer the property rights over his house

to them and thus pay back the debt in full. They came to Ivan's house on several occasions and were acting haughtily, kicking the door open and warning Ivan and Nataša that unless they paid the money back, there were other ways and methods to make them do that. Radovan then threatened Nataša to watch her steps, because she had children. He told her to pay back the money she had taken, because she could vanish into thin air, after which Ivan, afraid for his and safety of his family, concluded a purchase contract with Radovan's father. The contract was certified before the municipal court and it stated that Ivan was selling his 86-square-metre house and the allotment of 500 m<sup>2</sup> for EUR 9,000. That is how Radovan enabled his late father to unlawfully gain RSD 2,193,625, thus again committing the criminal offense of extortion.

Radovan is from Mionica and he is a citizen of Serbia, a taxi driver by vocation. He is not married and has no children, and he finished a secondary school of transport and traffic. He is not employed and he creates income by doing seasonal work. His monthly income is between EUR 200 and 300. He had been convicted of inflicting serious bodily injuries and sentenced to six months in prison, while he spent six months in detention for the offenses described above.

The higher court sentenced Radovan to a concurrent sentence of six years and six months in prison.

### **Higher court in Šumadija and West Serbia**

From 2008 to 2010, Arsenije D., who was working as a police officer at that time, and Marinko G. used force and threat to extort from Jasmina C. money and merchandise from her store.

In April 2008, Arsenije gave Jasmina EUR 3,000 as a deposit for alleged purchase of house from Jasmina's daughter. That autumn, Marinko offered money to Jasmina so that she could pay back her debt to the accused Arsenije and he gave her first EUR 500 and then EUR 1,500. After that, both men put constant pressure on Jasmina and her daughter to pay back the money they borrowed and an interest they had arbitrarily calculated. Arsenije phoned Jasmina on several occasions and told her that unless she paid back her debt, her house could burn down. On the other hand, Marinko told her not to play games, because her daughter often drove a car and many things could happen to her while driving. On one occasion, he abruptly cut Jasmina's daughter off. He also took merchandise from Jasmina's store on several occasions without paying any money, but Jasmina was keeping a record of the things he had taken.

Fearing for safety, between the autumn of 2008 and the beginning of 2010, Jasmina gave EUR 8,100 to Arsenije and EUR 4,200 to Marinko, as well as merchandise worth EUR 920.

In taking the aforementioned actions, Arsenije and Marinko committed the criminal offense of complicity in extortion.

Arsenije D. is a citizen of Serbia, currently working as a driver at a private company. His monthly income is around RSD 21,000. He is married and has two children of a legal age. He finished secondary school, and he had not been convicted before.

Marinko G. is also a citizen of Serbia, and he has no qualifications. He finished primary

school, he is not married and has no children. He is not employed and he works as a manual labourer, making EUR 250 a month. He had been previously convicted of sexual offense and sentenced to three months in prison, but the sentence was suspended for a period of two years. He had also been convicted of violation of social security rights and sentenced to eight months in prison and after he repeated the offense, he was also fined. He had also been convicted of forgery and sentenced to three months in prison.

The higher court sentenced Arsenije to one year of house arrest without electronic monitoring.

The accused Marinko was sentenced to two years in prison.

### **Higher court in Vojvodina**

In 2007, Uglješa G., Vladimir S., Filip E. and Dušan O. used force and threat to force Vladan M. to make counterfeit debit cards, which they would sell to other people for the purpose of abuse, and to illegally transfer money from west Europe to the accounts of people they had found on the Internet.

Uglješa, Vladimir, Filip and Dušan had known each other from before. One of the accused was the owner of a café where another accused was working as a manager. In the middle of 2017, one of the accused called Vladan to come to the café to introduce him to the owner, because the owner was allegedly interested in creating a web site for his café and Vladan was known to be familiar with computers and programming.

One of the accused then told Vladan he knew what Vladan was doing and there was a court proceeding against him in progress for forgery and abuse of debit cards. After that, he asked Vladan to make debit cards for them. In case he refused, the boys threatened to abuse him and his family and to make them loan money from them.

Afraid of the threats, Vladan accepted to make fake debit cards with identifications. He made them by entering the information from valid cards onto blank cards, which were subsequently sold to other people.

A few days later, one of the accused again came to Vladan's home and took him to the home of another accused person. There they talked about creating debit cards and the accused guaranteed Vladan's protection. One of the accused gave money to Vladan for the necessary machine, but requested that the machine be at his house, so that Vladan could not do anything without his approval.

Having brought the machine to the house of the accused, Vladan said that blank debit cards also needed to be obtained and that one company in Novi Sad sold them. Vladan gave the phone number and address to one of the accused, while the other accused person gave money for purchase of 100 blank cards, which were eventually bought.

Vladan told them it was possible to get the identification data of the original debit cards via the Internet. He then started making the cards, by using the machine to write the obtained

information from original cards onto the magnetic strip. After he made sure the cards were functional, the accused asked Vladan to continue searching for data.

Vladan obtained more data for more cards on the Internet. The next day, he again went to one of the accused, who was in company of another accused person. The first accused told Vladan that he would owe them EUR 3,000 for each card that was not working. They threatened that, if there were such cards, he would have to pay because he was working with serious people.

The first fake cards made were sold in Novi Sad for between EUR 1,000 and 3,000.

Vladan continued to obtain the data for fake cards, after which the accused obtained 100 more new cards. Since the beginning of the operation, Vladan had made between 150 and 200 fake cards, which were sold in Novi Sad by the accused persons. In return, Vladan received EUR 7,000.

By selling those cards, the accused gained a profit of at least EUR 150,000 to the detriment of the unknown owners of original cards.



Four months after Vladan started working for the accused, he received an order to execute illegal money transfers from the accounts owned by citizens of west Europe to the accounts the accused would designate. Even though Vladan said he did not know how to do it, two of the accused replied they did not care. Vladan was then forced to learn how to execute illegal money transfers.

Vladan told the accused that they needed a person who would transfer the money, so they gave him the bank account number the next day. Vladan thus started executing illegal money transactions from the accounts owned by citizens of west Europe to the accounts designated by the accused. From the end of June to the end of August 2007, Vladan enabled the accused to gain a profit in an amount that has not been ascertained.

At the end of the summer, Vladan told the accused he did not want to do business with them. They, accompanied by an unknown man, found him in the town centre, forced him into the boot of a car and closed the boot. They drove him to the bank of the Danube and let him get out of the boot, asking him if he would continue working for them. When he said he would not, they knocked him down and started kicking him. When he got up on his feet, one of those present punched him twice in the head and the accused told him this was a demonstration of what they could do and that he should never again stand up to them. After that, they drove him to a place near his house and warned him “not to fool around anymore”. Vladan fled to Montenegro after this incident.



When he returned from Montenegro in early November, Vladan started receiving phone calls and threats. They said they would kill him, beat him up, jump on his pregnant wife's belly and they would lose his "blondie". All those threats were made in order to make Vladan pay them EUR 100,000 for the alleged compensation for invalid cards.

After all those threats, in mid-November, Vladan reported the accused and filed a criminal complaint against them.

The first accused is a citizen of Serbia. He finished a three-year secondary school and is a car mechanic by vocation. He has no property, nor a full-time employment. He is married and has two underage children. He had been previously convicted of complicity in criminal offense and violent behaviour at a sporting event and public event. No other proceeding was in progress against him during this trial and he was released pending trial.

The second accused is a citizen of Serbia, and he has also finished a three-year secondary school. He is a worker, married and has two underage children. He had been previously convicted of failing to pay child support and violation of patent rights. Another proceeding against him was in progress during this trial and he was released pending trial.

The third accused is a citizen of Serbia, and he finished a four-year secondary school for a mechanical engineering technician. He is unemployed, married and has two underage children. He had previously been convicted of violation of patent rights and failing to pay child support. No other proceeding was in progress during this trial, and he was released pending trial.

The fourth accused is a citizen of Serbia and he also finished a four-year secondary school for a mechanical engineering technician. He has no property and is not married. He had not been previously convicted and was released pending trial.

None of the accused confessed to committing this criminal offense.

When it comes to "car boot kidnapping", the court established that one of the accused did not take part in it, because he was in Montenegro at the time.

As the explanation of the higher court's verdict states, the defence attorneys of the accused claimed that the cards Vladan said he had made were actually not valid payment cards according to the legal definition, and that as such cannot be the subject of a criminal offense. However, this trial was for the criminal offense of extortion and not for production and abuse of fake payment cards, which means that the verdicts related only to extortion.

The higher court concluded that all the accused had committed one extended criminal offense of extortion. Intending to gain unlawful gain, they used serious threats to keep Vladan afraid for his life. On the other hand, by driving Vladan in the car boot and inflicting bodily injuries, they forced the injured party to make payment cards and execute illegal money transfers to the detriment of others' property and to the benefit of the accused. The court found that such actions constituted the criminal offense of extortion.

When committing this criminal offense, the accused acted with premeditation and as



accomplices. Each of them was aware of their participation and their role in this joint enterprise.

The first accused was sentenced by the higher court to one year and two months in prison, while the second accused was sentenced to two years in prison. The third accused was sentenced to two years in prison, while the fourth accused was sentenced to one year in prison.

The verdict was passed in 2017.

### **Higher court in Vojvodina**

During 2017, Kristijan N. and Milan D. deceived Marinko by pretending to be someone Marinko knew when sending SMSs to him, only to use threat and force to try to extort EUR 500,000 from him.

In December 2017, Marinko received a message he believed was from a priest from a local monastery. In this message, the person who introduced himself as the priest, invited him to come to the monastery in the evening and receive a letter that was left for him by a deceased priest Marinko used to know. Marinko arrived at the monastery at the agreed time and parked his vehicle where he had been told in the message.

When the injured party got out of his car, an unknown man put the hood of his jacket on and approached Marinko, took out a gun from his pocket and cocked the gun. The unknown man stood behind Marinko's back and used a taser on Marinko's shoulder. Due to the electroshock, Marinko knelt and the unknown person pointed the gun at the back of Marinko's head. He told Marinko to prepare EUR 500,000 before the next Friday and leave it at the place the man would later disclose.

The unknown man also told him that Marinko had done many people wrong and that unless he did as instructed, his family would suffer. To make his case stronger, he listed the members of Marinko's family, his wife Stela, son Nikola and daughter Nadja. He then threatened Marinko again by saying, "On Friday, don't make me go to Nadja and Nikola right now". The unknown man ran off to his car, which was parked near the monastery and drove to his home.

On the same day, Marinko received more messages, in which the unknown person reminded him to get the money ready before Friday and that he would be told on Friday afternoon where to leave the money. Apart from the reminder, the message contained a threat that Marinko and his family would be living in fear if the money was not ready, stating, "This is the price for your new life, pay and live, don't pay and you'll suffer".

In doing so, Kristijan N. and Milan D. committed the criminal offense of attempted extortion.

Kristijan N. had an agreement with Milan D. to extort money from Marinko. Kristijan, as instructed by Milan, bought two SIM cards. He then sent a message that was composed by Milan D., in which he falsely introduced himself as a priest from the monastery, a friend of the late priest, and invited Marinko to come to the monastery that evening to collect a letter that had allegedly been left by the late priest.

When searching Kristijan's family home, the police found some ammunition in the garage: two 7.62 mm bullets, one 7 mm bullet and one bullet of unknown calibre. This meant that Kristijan had committed another criminal offense – illegal production, possession and circulation of weapons and explosives.

On the other hand, the accused Milan is also charged with using a forged document in 2018. He used a report from the Institute of Medical Biochemistry and changed another patient's laboratory analysis of blood to his own name. He then submitted this forged document as evidence in the investigation related to this case. In doing so, Milan committed another criminal offense – forging a document.

The accused Kristijan N. is a citizen of Serbia. He is married, he finished secondary school, and he is a food technician by vocation. He owns a family house and a construction company. He also owns a car and his income is around RSD 40,000 a month. He had not been previously convicted and no other proceeding was in progress during this trial.

The accused Milan D. is a citizen of Bosnia and Herzegovina and Serbia. He is married and has three children of a legal age. He finished a secondary school of medicine and is a medical technician – anaesthesiologist by vocation. He is unemployed, he owns a house and he is a co-owner of 68 hectares of land with his wife. His monthly income is around EUR 10,000, which he makes by working on his own land and on the land he leases. He had been previously convicted of the criminal offense of extortion and sentenced to five years in prison. He was in detention during the trial.

The accused Milan completely confessed to committing the criminal offense in question, after which he signed a plea bargain, which was accepted by the court in full. He thus waived the right to trial and accepted the limitations regarding filing an appeal to the court decision made within the scope of this plea bargain.

The higher court sentenced Milan to three years and five months for the criminal offense of attempted extortion, i.e. to 3 months in prison for forging a document. However, he was subsequently sentenced to a concurrent sentence of three years and six months in prison.

On the other hand, the higher court sentenced Kristijan to three years in prison for the criminal offense of attempted extortion, i.e. to eight months in prison and a fine of RSD 10,000 for illegal possession and circulation of weapons. Eventually, he was sentenced to a concurrent sentence of three years and three months in prison and a fine of RSD 10,000.

The verdict was passed in 2018.

## **Usury and extortion with usury**

### **Primary court in Vojvodina**

In 2018, Radovan M. used threat to extort money from Stefan G, whom he had previously lent money and negotiated an unreasonably high interest.

At the beginning of 2018 in Zrenjanin, Radovan M. called Stefan on the phone, asking him to pay EUR 200 that day. Stefan had borrowed money from Radovan before. However, Radovan asked for the money which was allegedly the interest associated with a 70-euro debt from before, even though there was no such debt. The next day, Radovan called Stefan again, stating that the debt had risen to EUR 500. On that occasion, he also threatened to beat Stefan up when he met him unless Stefan paid EUR 200 immediately. Stefan did not succumb to these threats, but he reported the threats to the police.

Radovan called Stefan from his own mobile phone number on multiple occasions, demanding the money for the interest associated with a EUR 100 debt, which occurred in August 2017, when Radovan lent Stefan that amount. However, Stefan paid back EUR 170 in November that year. In taking these actions, Radovan committed the criminal offense of attempted extortion.

The accused Radovan M. was born in 1977 in Belgrade and is a citizen of Serbia. He had been previously convicted and during the trial he was in detention.

The primary court gave him a suspended sentence. He would be sentenced to one year in prison if he committed a new criminal offense in three years' time. The verdict was passed in 2018.

### **Primary court in South and East Serbia**

During 2017, Borivoje Z. lent money to Aleksandar O. on several occasions and negotiated an unreasonably high interest, only to inflict a serious bodily injury to Aleksandar in 2018, when he cut Aleksandar's little finger off.

In 2017 in Vranje, Aleksandar borrowed money from Borivoje Z. on multiple occasions, in the amounts ranging from EUR 100 to EUR 300. Borivoje negotiated an unreasonably high interest in the amount of 50% of the borrowed amount. Aleksandar was paying back this debt with interest and had paid EUR 1,300 to Borivoje. At the beginning of February next year, Borivoje again lent EUR 300 to Aleksandar and negotiated the same, unreasonably high interest, but with an additional provision. Namely, Aleksandar was supposed to pay EUR 100 for each day he was late with his payment. By the end of March 2018, Aleksandar, aided by his brother, had paid EUR 1,000 to Borivoje.

Borivoje sent a message to Aleksandar via Messenger, inviting him to come to a petrol station. The two met there and started driving around Vranje. At one moment, Borivoje told Aleksandar to stop the car. Borivoje got out of the car and while Aleksandar was sitting in the driver's seat, Borivoje punched him in the face twice. He ordered him to get out of the car, grabbed his arm and used pruning shears to cut off Aleksandar's little finger. He told him, "Now you understand. You ain't gonna mess with me".

When Aleksandar asked him why he had cut off his finger, Borivoje replied that he would cut one more if he did not stop asking questions, that he would throw a bomb on Aleksandar's house and cut his legs off, too, when he got out of prison.

In doing so, Borivoje inflicted a serious bodily injury to Aleksandar and seriously endangered his safety, while at the same time committing the criminal offense of usury.

In his defence, the accused Borivoje confessed all his actions. He stated he regretted everything and that he believed it would never happen again. He said that Aleksandar had agreed to the interest rates related to the loan, but that he had also waived part of the interest. However, when Aleksandar stopped answering his calls and started being late with his payments, Borivoje got angry. On the night in question, he had already drunk a few beers and, as he said, his “moral brakes” were a bit faulty. He reiterated that he was very sorry for everything and that he wanted to apologise to Aleksandar and his family. He emphasised that he was ready to be careful in the future and serve any sentence the court found appropriate. Borivoje added that he was intending to start a family that year, and that he was really sorry because of everything that had happened and because he was going to lose his job.

As stated in the explanation of the verdict, no circumstance had led the court to examine the accountability of the accused Borivoje.

In terms of aggravating circumstances, the court took into consideration the fact that the accused had been previously convicted of violent criminal offenses and that he had been persistent in executing all his actions. On the other hand, in terms of mitigating circumstances, the court took into account the fact that Borivoje was very young and that he had confessed his offense completely, which had significantly helped the court shed light on all circumstances related to the incident. According to the court, he repented having committed the offence he was on trial for.

For the criminal offense of usury, the primary court sentenced Borivoje to three months in prison and fined him RSD 50,000. Also, for the criminal offense of inflicting serious bodily injury, he was sentenced to one year and nine months in prison, while for the criminal offense of endangering safety, he was sentenced to three months in prison.

Consequently, the primary court sentenced Borivoje to a concurrent sentence of two years and two months. The verdict was passed in 2018.

### **Primary court in Vojvodina**

Between 2007 and the end of 2009, Viden B. used continuous threats to force Danica L. to give him the money she owed him and an unreasonably high interest he had negotiated.

At the end of 2007, Danica, who was in a difficult financial situation, borrowed EUR 1,000 from Viden. He used her difficult financial situation to establish an unreasonably high interest for himself. He asked for an interest of 20 percent of the borrowed money.

The monthly interest was EUR 200, and Danica was supposed to pay that amount to Viden every 25th in the month. However, when Danica failed to pay the agreed monthly interest of EUR 200 on the set date, Viden threatened her over the phone, insulted her and said he would tear her son's body into pieces.

As a fine for being late with payment, Viden increased the interest by EUR 50 and more. So, in 2009, Viden threatened Danica that he would kill her and her children when she told him she had no money.

Exploiting the situation, Viden forced Danica to give him EUR 4,800 for the agreed interest and a “fine” for not paying the interest on time. Since she could not collect that much money, Danica borrowed money from her relatives and friends, after which she was forced to sell her belongings. She was afraid for her and the lives of children because of the threats she had been receiving.

The accused Viden B. was born in 1966 and is a citizen of Serbia. He finished secondary school, and he is a metalsmith by vocation. He is married and has two children. He owns one family house and a car. He had previously been convicted once for the criminal offense of theft. No other proceeding against him was in progress during this trial.

The accused Viden was found guilty by the primary court of the extended criminal offense of extortion and sentenced to one year in prison, while for the criminal offense of usury he was sentenced to six months in prison. The sentences were suspended for a period of three years, during which the accused should not commit another criminal offense.

The verdict was passed in 2019.

### **Primary court in Vojvodina**

During 2019, Milan G. was lending money to Miodrag T. with an unreasonably high interest. Milan sent threats to Miodrag for failing to pay back the debt and tried to force him to give him the money.

In September 2019 in Kikinda, Miodrag, who was in a difficult financial situation, borrowed EUR 250 from Milan. Abusing Miodrag's frivolity, Milan negotiated an unreasonably high interest. He asked Milan to give him EUR 100 each month until the latter paid back the borrowed amount. Until March 2020, Milan had paid a total of EUR 600 of interest to the accused. After that, Miodrag gave Milan a 100-Euro banknote as the interest associated with the borrowed money.

Afterwards, Milan threatened Miodrag at a café. He told him he owed him EUR 1,640 more as the interest. Milan told Miodrag that unless the debt was paid, he would hire debt collectors, who tended to kidnap the children of those who were in debt, adding that many people had committed suicide because of those debt collectors.

The accused Milan G. was fully aware that his actions were unlawful, thus committing the criminal offense of usury and the criminal offense of extortion.

The accused Milan was born in 1971 and is a citizen of Serbia. He is a transport and traffic technician, who finished secondary school. He is divorced and has three children, two of whom are of a legal age. He has no property and no previous convictions.

The primary court sentenced him to seven months in prison and fined him RSD 70,000 for the criminal offense of usury. For the criminal offense of extortion, he was sentenced to seven months in prison.

However, as stipulated in the verdict, the primary court eventually decided on a concurrent suspended sentence and Milan was sentenced to one year in prison, but the punishment would not be executed if the accused did not commit another criminal offense in three years' time.

Apart from receiving the suspended sentence, Milan was also fined RSD 70,000. The verdict was passed in 2020.

### **Higher court in Šumadija and West Serbia**

During 2008 and 2009, Uroš S. used continuous threats against Danijela T., asking her to give him the money she owed him and an unreasonably high interest.

In the summer of 2008, Danijela borrowed EUR 1,000 from Uroš, and agreed to pay a monthly interest of 20 percent. However, from the second half of 2008 to September 2009, he threatened Danijela, saying he would harm her underage daughter. He threatened her by saying, "I'll beat up your child and then I'll rape her, and you'll be watching. After that, I'll rape you and the child will be watching!". Uroš forced Danijela to pay a total of EUR 400 as the interest associated with the borrowed amount, while the remaining debt and associated interest in the amount of EUR 1,500 were paid by Danijela's brother.

In doing so, Uroš gained unlawful gain of RSD 36,033 from Danijela, thus committing the criminal offense of extortion.

Uroš S. is a citizen of Serbia, and he is employed at a state-owned company, with a monthly income of around RSD 25,000. He is married and has three children. He finished secondary school.

The higher court sentenced the accused Uroš to one year of house arrest, without the use of electronic monitoring.

## TESTIMONIES AND INTERVIEWS

- **Testimony of the father of an underage victim of extortion:** “You think it can’t happen to you. Yet, it does.”

*The father of a thirteen-year-old boy, who wanted to remain anonymous, told how an unknown man had extorted more than RSD 390,000 from the boy.*

“Criminals, it was criminals who were extorting us!” Those were the words that the father of an underage victim from Serbia heard from his wife who called him visibly upset. “When you hear the words *criminals* and *extortion* mentioned in the same context as your child, you start your car and head home at once”, says the father.

At the beginning of January 2015, a thirteen-year-old boy was with his friends in a betting shop, where he used to go to watch games and play foosball. He was approached by a man he had not met before and who introduced himself. He said he knew the boy’s father and that they were good friends. He added he knew a lot about betting and that he had been receiving tips about certain results. He then asked the underage boy if he had any money to place a bet and suggested they share the money if they win. That is how the case started and it received a court epilogue three years later.

As stated in the explanation of the verdict, after the accused again asked for money from the underage boy, the boy told him he had no more money. However, the man told the boy he had to find money, otherwise he would tell the police all about betting and match fixing. He told him that the police would take him to the polygraph and that they would come to his home. The 13-year-old was afraid of those threats and the man continued to ask for money from him.

During two months of 2015, the offender extorted over RSD 390,000 from the injured party. The accused was on trial for not only extortion from an underage person, but also for the criminal offense of fraud and illegal possession of opiates.

In this particular case, the appellate court passed the final and amended sentence in 2018, in which the accused was sentenced to a concurrent sentence of one year and six months in prison and fined RSD 30,000.

The fact that such cases in which minors are the victims are not rare in Serbia is confirmed by the data of the Ministry of Interior, according to which between 2016 and 2020 there were 708 reported cases of extortion, while 665 criminal complaints were filed as a result.

The total number of criminals who committed this criminal offense in the same period was 950. Among them, there were 43 women and as many as 204 minors. 724 people fell victim, among whom 106 women and 191 minors.

### **N: When did you notice something was going on with your son?**

**O:** We didn’t notice anything. To be precise, my wife noticed something, but we thought he was 13, he must have had a girlfriend... Puberty, you know how it works? He would leave



home at half past seven in the evening and returned half an hour later, completely in trance. But, who could have thought...

**N: How did you find out what was really happening to your son?**

O: We found out when he told my wife everything while I was at work. He had no way out of it at the time, he realized he had taken a huge amount of money from the family. The accused had already started threatening my son that he would hurt us. It was when he started threatening to hurt his mother or sister that the boy said, "I have nothing left, I'm done". Then my wife started asking him questions and he said he had already given all his and his dad's money. Then my wife called me, noticeably upset, perhaps even hysterical. She was shouting, "*Criminals, it was criminals who were extorting us!*". Those were the words I heard over the phone. **When you hear the words criminals and extortion mentioned in the same context as your child, you start your car and head home at once.** When I got home, they told me my son had been giving money to criminals. After that, we put him in the car and I told him, "You're going to tell the whole story to the inspectors!"

**N: What was your first reaction to all this?**

O: I first asked him if they had hurt him or forced him into something. I thought, since those were deviant guys, that they might have abused him sexually or used him to get to some girls or I don't know what. When we got there, my son pointed his finger at one man who was present there and said, "Hey, you!". I thought he was one of those involved in the case and there was almost an incident. However, then I heard that it was a police officer who had been working undercover and monitoring the criminal and that was why my son recognized him. I really have to praise the police. So, we were sitting in an office, my son was talking to the inspector and I looked at my child and thought, "Am I in some kind of a movie? What's this all about? How did he keep all that from me? How did this guy get to him in this way?" Because you think it can't happen to you. Yet, it does.

**N: What did you do after you found out what had happened to make the situation easier to you and, especially, your son?**

O: I'd better not talk about what I was planning to do, but didn't. What my friends were planning to do, but didn't, because I insisted. Thank God they didn't do anything. I said, "If something is to be done, I'll do it, not you". Of course, the course of events went in a completely different direction. Although you don't trust the court, I believed our lawyers would ensure a fair trial. I wasn't putting any pressure on the court, but I said that if the prosecutor didn't persevere, I would never give up. My goal was to cut that weed standing out in my life and put it where it belongs – in prison. I was told he was unlikely to be sentenced, because he had no previous convictions. Well, hold on! The police had established the facts, extortion, they had phone listings and messages – everything. Many facts regarding this case emerged as a result of the operative work of the police. I honestly don't know how to describe what we'd been through. I've erased it from my memory. You remember only the good things. There are some flashbacks, but I no longer care about that.

**N: Bearing in mind the fact that the final verdict was passed in 2018, how did your son experience the whole process? Because it did take a while...**

O: I tried to protect him in every possible way. First and foremost, he had to face the accused, since he was a free man at the time. My son could not leave home for two months. He asked us to escort him to the school. Like, we didn't have to go with him, because he was in the seventh grade then, but we were supposed to follow him. That's fear. However, I explained to my son that no-one would be allowed to lay their hands on him. I told him it would be best to face the accused in the next month, to pass by him, look him in the eyes and see his reaction. What my son didn't know was that during that month, every time he was coming home from school, I was always nearby, behind a tree. **After such a situation, paranoia sets in. You try to protect your child from everything, including a leaf about to fall off a tree.** One evening, he came home and said, quite excited, "Dad! I saw him. I looked at him and he looked at me, lowered his head and crossed to the other side of the street!" I said, "There you go, you see he is wrong". A lie can never beat the truth. A wrong thing can never beat a good thing. Every person can make their own decisions and choose the path they want to take. That's what I told my son, "You came to a crossroad with many paths leading to different directions and you took a muddy, dirty and slippery one. Why would you take that path, when you can travel on an asphalt road, which is illuminated and marked, like a normal road?"

**N: That means he had his parents' support during the whole process?**

O: During the whole process, yes. I have to praise the school psychologist, the psychologist we were seeing privately and myself and my wife as psychologists. You know how people say, "We need to punish him/her"? No, we don't have to punish them. Children are never at fault for anything. Never. I mean, even at school, when they do something wrong, it's just children. Children are sponges, unspoilt, absorbing what is offered to them. **My son, unfortunately, absorbed some filth, which now needs to be drained out, but gently, so that he doesn't suffer consequences.**

**N: Did you have a chance to talk to the accused?**

O: I didn't want to. The accused did what he did. If he had done that to me, I wouldn't have asked him why. I understand why he would do that to me. The only rule I picked up in my private and professional life is that you don't touch anyone's family, you don't touch the children – they don't deserve that. A soldier should fight a soldier and no-one else. If he had done something to me, if he had shot at me, put a gun against my head and asked for money, I might have given him, I might have put us some fight afterwards. But, a child is unaware. They are dependant. I don't have a need to talk to people with such low moral standards. What's the point of talking to someone who extorted a child? He wouldn't even benefit from a medical treatment. It's some kind of pathology related to his mental condition, his moral standards or some of his traits, his mindset.

**N: At one point you sought psychological help. When did you realize it was necessary and decided to ask for help?**

O: I would be an idiot if I had tried to resolve such a trauma on my own. Now, I am neither an idiot, nor someone with a degree in child psychology. I needed directions regarding some things related to the future. **It's common sense. I know that in Serbia everyone's a general, everyone's a doctor, everyone's an engineer, everyone's an investor, but I know my place and if I had to turn to the devil himself for help, I would do that. Let alone a psychologist.**

**N: What do you remember most from the sessions with a psychologist?**

**O:** At one session, she told me not to blame myself and that my son shouldn't blame himself. The more intelligent a man is, the easier it is to trick him. She told me about a doctor, her colleague, who had sold 40 acres of land and a house. He was tricked in the same way as my son, who was 13. She said there were well thought-through plans how it was done. Such plans are not in the books, those people simply have a natural talent to trick and deceive people. I told her, "It's not possible, you're just saying that to comfort me". She told me the name and surname of the person and told me to check the information she gave me. I checked her story, and it was really true. The man has gone to Canada, he'd lost everything he had here. Since he was 48 at the time, he couldn't really learn English and is now working on mapping the roads and so on.

**N: How long did it take for your life to get back to normal after this? How did all this affect your family?**

**O:** One huge moment from the psychological point of view was when my son said he wanted to make a wobbler. It's a small fishing bait that moves left and right when you pull it through water. Three people in Serbia make those. So, he made some and soon afterwards received an order from Norway to make as many as 100 of those wobblers. They were that good. He was already thirteen and a half at the time. **That was another way for him to get out of the situation he was in.** Just work and hobby. We managed to get back on the track relatively quickly, after two or three months. We weren't ignoring it, we knew what had happened. My son voluntarily replaced all his friends, because his old friends continued to go to the arcade within the betting house. There are two slot machines and five tables for foosball, but it's a betting shop. He was an excellent student and he continued to be an excellent student, but he changed company. Occasionally, every two or three weeks, I would ask him, "Son, is everything alright? What's going on? How are you feeling?" We've never had a more open conversation. Today, our son works with us. He works here and when he isn't working, he is studying and taking exams. He is now a sophomore. What can I say to him?

**N: So, that unity and family strength helped significantly?**

**O: Only that. The family is a compromise, the family is a pillar. You can't bring children up properly unless they see accord and harmony between the parents.** There are upsets and tempests in everyone's life, but if you reach a platform, where it's peaceful and quiet, which is a sanctuary, no tempest can affect you. It's just like water off a duck's back. You never forget, it stays forever in your subconscious. Even now, when I remember those events, my palms sweat.

**N: You mentioned an arcade and a betting shop being one. What's your opinion about minors having access to such places and how dangerous that is in reality?**

**O:** It's incredibly dangerous. I'm now talking off the top of my head and from my personal experience. I've been asking around and heard that 60-70 percent of children are placing bets. To be more precise, it's not them who place those bets, but those working in such places. They give money to those people to place bets because they are over 18. To begin with, why do we need so many betting shops? Las Vegas is 50-70 km from the nearest city, in the

middle of a desert. Look at any country, Hungary, for example. Where can you see a gambling house in the city centre? No way! It's simple, parents lead a life and children see what that life is like, and it reflects on them. I think a whole generation will go to hell because of that. It creates an immeasurable danger, because a certain profile of people is created, who won't work at all. They'll invest 1,000 dinars and get a profit, or not, perhaps they'll have 20-30 thousand dinars at the end of the week, so they'll think, "Why would I work when I can make money like this?" To begin with, there is a moral decline. Next, there is no moral there. Look at the western movies, who were the gamblers? It's the scum of the earth. They have no future. *The Angel and the Gambler*.

► **Interview with a cashier from a betting house: It's all about money**

Our collocutor, who wished to remain anonymous, worked at a betting shop for a year and a half. She started as a junior cashier, after which she was promoted to positions with more responsibility.

According to her, during her employment there, she experienced numerous difficulties, both from her colleagues and superiors, as well as from the guests. She told us about her experience regarding how her superiors and colleagues tried to extort money from her by suggesting they should all share the alleged loss, and she gave us an insight into the atmosphere in such facilities.

**N: What was it like when you started working there and how did your superiors treat you?**

S: When I started working, I didn't get enough training. Someone starting this job without any experience related to a betting house can have a lot of problems unless they are trained properly. Each time there was a loss at the end of the shift, the superiors asked me and my colleagues to show solidarity and cover the loss, even though I wasn't responsible for the loss. That started only two weeks after I got the job. At first, the losses were around RSD 1,000 or 2,000, but they eventually reached RSD 32,000.

The salaries are definitely miserable, and I found myself struggling to keep any money at the end of the month. The pressure from the superiors and colleagues started when I refused to take part in covering losses. I recognised elements of extortion, because we weren't getting any instructions from the head office, nor had I received any official paper regarding the matter. I didn't want to pay for that "solidary loss", because I wasn't responsible for any loss. I could prove that, because there are cameras in the shop. However, each time I asked them to look at the recordings, they refused.

**N: How often did such losses occur and what did you use to do about them?**

S: There were losses at the end of each month. When it occurred for the umpteenth time, I threatened to contact the head office. It was impossible to have problems with finances between the 20th of each month and the time when the salary arrived. It means someone was stealing money. Then, when the loss had to be covered, we were either "solidary" or the one remaining at the end of the shift had to pay the whole amount.

When they realized I was ready to complain to the head office, they tried to move me away. Later, each time there was a loss, I called technical control. Once, the manager of a betting shop created a loss of RSD 300,000. In order to cover the loss, he asked us, the employees, to show “solidarity” and cover the loss. He asked each of us to give RSD 25,000, which was completely out of order.

**N: Why didn't you report the case in the end?**

S: I felt great fear working there and I later developed neurological disorder symptoms. The lawyers didn't want to deal with it, they can only help with mobbing. I didn't report it in the end, because we're living in such a country that you can expect to suffer consequences if you do something like that. Someone might get offended and create chaos of your life because of it. Again, it was that fear that prevented me from reporting it to the public prosecutor's office. On the other hand, I went through psychological abuse and, on one occasion, even physical abuse.

**N: How were you abused physically?**

S: At one point I called the regional director to come for an inspection and react. The day after he arrived, the manager of the shop physically assaulted me. I came to work, put my uniform on, made a cup of coffee, but my legs were trembling with fear. He approached me, took a notebook in which we were writing down the turnover and balance at the end of each shift. He started inspecting the notebook nervously and mentioning some amounts, which, again, had nothing to do with me. After that, he stood in front of me and moved his shoulder towards my head. I started crying, I was embarrassed because I had brought myself to the situation to work there.

**N: You mentioned that you had seen a neurologist. Can you tell me more about that?**

S: I sought professional help when they tried to remove me from the post for the first time. It was a period when I, assisted by the technical control, started keeping records about those losses and controlling the situation. Because of that, the manager of the shop sent me a message and said that it would be best for both me and him if I quitted the job. After receiving that message, I started bleeding and I ended up in hospital.

I was having terrible headaches at that period, and I still feel the consequences. I also talked to a psychologist, but I didn't need a psychologist – I needed a neurologist. I had never had a medical record with a neurologist before. I had panic attacks, there were times I was shaking because I thought I had been fired.

**N: How often did underage children come to the shop?**

S: Not very often. However, there is the main door and a side-entrance, so some minors used to sneak in through the side-entrance. Boys aged 16-17 or almost 18. I never let them come in, because I didn't want to be held responsible.

After the lockdown, we used to have a child come to us. He played football, and he was a friend of a colleague and one of the superiors' son. I asked a colleague how old the child was and he told me he was 17. The child would just sit there, drink juice and play Bingo. That child

came on his own several times, when cafes were not working and when he didn't have a football practice. However, his mum and dad reacted later, and I reiterated on several occasions that it wasn't allowed.

We also had groups of secondary school student coming to the shop, but I would always chase them away as soon as they got there. I had a female colleague who was indifferent. She would have allowed a two-year-old baby walk in, she just wouldn't have noticed. Those secondary school students were watching and monitoring who was working and they knew who would let them in. They would usually use slot machines, spending between RSD 200 and 500. Apart from the slot machines, they used to play Bingo. Most often, they would come at the weekend or on Thursdays to make enough money to go out at the weekend. They had a motive – they wanted to earn some money. Also, the betting shop is 600 m from a school. I was so quick to chase them away that I didn't even notice if they had backpacks or not.

**N: How often did you have incidents at the shop?**

S: It's not uncommon for two drunk or drugged players to get into a fight, but that can happen anywhere. Also, it's interesting that players don't like male cashiers. They can't get into arguments with them. When their team loses or when they've wasted several tickets at the same time, players get very nervous. Once, a female colleague typed in a wrong ticket when she was under pressure. These things happen, it's a common mistake. The man who paid for that ticket was about to jump over the counter to strangle her. The shop manager could not come at that time, because, as he said, he was roasting peppers. Until then, we hadn't had security personnel, but after that there was just one guy, who was more like a woman than a man, working as a security guard. It was only after two months that we got proper security.

Our team was working at a shop where smaller bets were placed, where very nervous players came. It happened once that a player, who we knew was problematic, attacked a boy. That settled quickly, but again – no security, and the shop manager is roasting peppers.

What could also be mentioned as problematic is the roulette. That's why training is very important for this job. Some betting shops organise trainings of up to six months. You don't work, but attend special training sessions. That is important because if a player decides to place a bet at the last moment and you make a mistake, they can kill you that very moment. It's easy to lose your head, regardless of whether you work there or you're a player. That's how their minds work. They win RSD 100,000 and they tell you to withdraw RSD 96,200 and you have to do these calculations quickly, while the wheel is still spinning. Those are very stressful situations for both the employees and the players. Still, you can always smooth things out. They become close to us, employees. It's like a family.

**N: Have you perhaps had situations where some more serious players would come and place serious bets or borrow money, and you knew they could be in debts?**

S: They all either borrow or lend money, there is no-one who is not preoccupied with an interest rate. When a jackpot is expected, we work like crazy. The players are already in front of the door when I arrive, waiting for me to unlock the door. I had a few problematic situations. Once, a man was sitting behind a machine that all of us employees knew wasn't giving money. It's because we knew about that machine that we were observing this man. So, he was playing,



losing money and he was investing dozens of thousands of dinars.

After some time, he talked to me and told me not to touch anything and left. He returned with a large amount of money, which he had probably loaned from a loan shark. Later, we heard something break in the casino and that man got out with blood on his hands. It turned out that he had hit the machine. When we got to the machines, the display was shattered and full of traces of his blood.

**N: How often did the players confide in you? What kind of stories did you hear?**

S: There was a boy, who drives a truck in the US, who had an accident and hit his head. One night, he earned around RSD 700,000. He opened up to me and told me about the accident. People who come and bet are often prone to drinking problems. You know how it goes, a drunk man opens up and for some players I was a shoulder to cry on. **At the end of the day, the important thing was for them to come, because they would spend money.** It's what they call the American system, keep on smiling, listen to everything and everyone, be nice... and those who come will leave you a tip. Don't get me wrong, the salary is low, but at the end of your shift you go home with some pretty penny, and that's all from the tips. That's why you try to be nice to them. When they're in a bad mood, you make them coffee to cheer them up. You figure out what they drink, how they drink, and you win them over by getting those things right. The players are there to find some way of venting their frustration. Usually, people treat them like shit, but on the other hand, the atmosphere is nice, it's clean. They see that someone looks after them in a way.

**N: Generally speaking, what is the relationship between the players and the employees?**

S: A player is not a guest who has come to a café. They are a special kind of a guest. You don't start a conversation with them. You can only enter it if they start. Otherwise, you don't talk to them. That is because they've come here for one reason, they are focused on their ticket on the money, so you just let them be. There was a technical error in the system and I had to address a player, but he misinterpreted it as hitting on. He asked if there was a way for us to stay in contact, and I told him there was no way. Even the company makes sure we don't engage in any intimate relations with the players or with each other. Being intimate with a player can lead to situations that have happened before. **If you're good with a player, it's 99% sure that at one point they'll tell you "Give me some money, so that I can win some money back". It's just what they're like.** The amount would be 5, 10, 15 thousand, or even more. Also, the employees can get addicted, and we had such a case. A former employee created a debt of EUR 40,000. That's why it's important to be careful when it comes to the relationship with the players. They look at you and know you have access to money. It's all about money.

► **Miljana Vorkapić, sociologist and therapist: Social support should be systematic**

The previous two, very emotional personal accounts have shown what those people who have had experience with extortion went through. Although very different, the two storied ended in the same way: a trauma.

That is why we talked to psychologist and sociologist Miljana Vorkapić, who gave her



professional opinion after reading the two stories for the purpose of educating us on the topic.

In the interview below, Vorkapić explains how going to a betting shop impacts creating an underage person's character and what the role of parents is in prevention of such cases. She also talks about the lacks present in state institutions when it comes to any form of violence, especially extortion.

**N: What are your first impressions, as a psychologist, after reading these two interviews? Did you notice anything that you found particularly interesting or worrying?**

**M:** I found it interesting how much the topic of gambling is present in psychotherapy, but how I, from my professional experience, have not perceived them as such. In my experience, when people with this problem go to therapy, they are already more mature and have a long-standing problem with that vice. What is worrying in both interviews is the atmosphere in betting shops themselves. The problem I have noticed is that the idea of frequenting betting shops has become socially normalised.

It is also worrying that primary school pupils are part of it, and they are definitely an extremely vulnerable group. As the boy's father said, children are not able to make independent decisions. They don't perceive the world as it is and are much more prone to being manipulated. At the social level, it is definitely worrying to have so many betting shops in each and every part of every town. The fact they are spread so much also indicates that there is a great need for them on behalf of those who use their services.

**N: What leads young people to “rolling the dice”?**

**M:** On the one hand, it's curiosity. On the other, when we talk about primary school students, peer pressure is very important. Again, as the boy's father said, his son voluntarily changed his company after all that had happened. In therapy, where there is any form of addiction, there has to be a clear directive for the individual in question to change the company. That is because we, and especially children at that age, feel a need to adapt to the company. Consequently, children tend to agree to behave in a way that is not in line with their normal behaviour, with an idea that they would be accepted. They will go to such places or exhibit some other behaviours that are valued and appreciated within a certain peer group.

**N: How can going to a betting shop influence the development of a minor and their personality?**

**M:** The question of the influence on each individual is twofold. One refers to the family dynamics and what values have been instilled within the family, while the other includes social responsibility of the whole society towards all individuals. Such actions may lead to a distorted perception of reality and the way we structure our time. In that period, but also when we are adults, it's very important how we structure our time. That influences the way in which we connect with others. Parents may find it reassuring that there is a difference between using something and a formed pattern of addiction. Someone can go to a betting shop or try a narcotic several times without developing such a pattern.

When the pattern of addictive behaviour is formed, it gives certain dynamics to the

individual and their closer community. The individual takes the role of an addict in the family and the family reorganises in a way that facilitates the addict to be in the centre of this dynamics. A positive message could be that if your child goes to a betting shop several times, it doesn't mean they'll become a gambler. However, there is another part, which suggests that the pattern is formed if there is a sufficient number of repetitions. What is more problematic and needs to be emphasised is the fact that some experienced criminals headhunt and manipulate children. That is a much bigger problem than gambling. Those are people profiled to do that, who have well developed skills of evaluating, which means they can estimate that some children are more susceptible than others, i.e. they can damage them more easily.

**N: What is the role of parents? What are the healthiest ways to “prevent” minors from going to a betting house?**

**M:** The role of parents is very important. In his interview, the father talks about how he and his wife focused on solving the problem as a family. Recently, parents have been under a much greater pressure. Dangers are present and lurking everywhere and at many levels. Sometimes it's almost impossible to predict the dangers a child could face. It might be through the Internet, a betting house, narcotics or alcohol, but such dangers are omnipresent. Prevention is definitely important, but it also encompasses the society's responsibility. That includes a different regulation of the system. To begin with, it should be regulated where those betting houses should be and who should be allowed to go there. On the other hand, parents should be involved in the lives of their children. It's not enough just to follow where your child is going and how they behave, because their peers have a great influence of the way in which the child develops.

That's why it's extremely important to know the children your child spends time with. That could be more productive than following or stalking your child. Any kind of pressure can lead to your child doing those things you forbid them to do.

**N: How dangerous is having betting houses near primary and secondary schools? How much would relocation of such facilities, for example, help when it comes to diminishing the problem of gambling among young people?**

**M:** We should create a better plan regarding the location of betting houses and who can frequent them, we need stricter rules. It wouldn't hurt to ban betting houses near schools. Again, that probably wouldn't prevent minors from going to such places. Still, the aim is not to prevent them from going there, because that is impossible. The aim is to make the process of reaching a betting house less simple and accessible. It's important to move such a target further away from children. After all, we can ask whose idea it was to allow betting houses near schools. Probably those who can greatly benefit from that and who came up with this plan. Again, it's a matter of social responsibility and state legislation. In simple terms, it shows in what kind of country we're living and how this country looks after its citizens.

**N: The girl who used to work at a betting house believes she was being extorted, yet she never reported it. What do you think is the reason why extortion and similar offenses are not reported to the relevant bodies? What is it that represents the biggest problem for the victims and how that problem could be overcome?**

**M:** What the girl in the interview pointed out is the moment of fear, which is crucial. At one point, she says, “You never know who knows who”. Very often, the victims don’t report such cases to the authorities because of fear, either for their own existence or the existence of those close to them. A victim often isn’t aware how many people are actually involved and who could hurt someone. On the other hand, another reason is a high level of distrust in state institutions. Just like with every type of violence, and extortion is definitely a type of violence, there is always the same question lingering, “Can someone protect me or am I on my own?” The moment when a person is supposed to stand up for themselves is the moment they are left to their own devices. But when a person is on their own, they are weak, which is another reason why such types of violence are not reported.

Victims often ask themselves what they’ve done to deserve this, and they have a feeling they have deserved it. For example, the fact that this girl worked at that betting house can be interpreted as her willingness to accept the risks, such as extortion, associated with the job. This is an example of an inadequate stream of consciousness, but a victim often feels like that. They feel guilty for letting themselves get into such a situation and for having failed to set boundaries.

**N: Why is professional help important?**

**M:** Seeing an expert can be quite healing. We, professional therapists, are trained to approach people and provide support and understanding. If necessary, we include other members of the family in the process and, thus, empower the person who sought help. Seeing an expert, even if you don’t have a traumatic experience, is definitely something that is recommended as a form of prevention. By looking after our mental health, we can nip some problems in the bud. At a deeper level, partner or family therapy, which is much less popular here, often because social stigmatisation and embarrassment, can prevent many cases. When partners encounter an obstacle in their relationship and can’t overcome it after a while, partners’ therapy can solve many problems before a family relationship is formed with children. Seeing a therapist is not something that should be resorted to only to solve an existing problem. It can be useful in early stages, as well, as a form of prevention. It goes without saying that all members should be actively involved and motivated.

**N: Is there a “pattern” when it comes to psychological extortion? To be more precise, is there is pattern in the behaviour of individuals who use extortion?**

**M:** People who use extortion choose vulnerable individuals, mostly those who crave more for social acceptance and for being part of a certain group. That’s usually the case with children still growing and developing, especially those attending primary or secondary school.

A very illustrative example of this is the part of the interview in which the father says that he too was subject to extortion. However, that’s a completely different mechanism and it doesn’t work well on an adult. Adults would need to be very traumatised or prone to addiction in some other way for such a pattern to work. A person who is confident in themselves and their relationship with others will have someone to rely on and confide in. That’s what happened in this case, when the boy confided in his mother, which is an excellent example of positive practice. When they see a therapist, people prone to succumbing to extortion often realise that their addictive behaviour emerged at an early age. It doesn’t have to be gambling, there are many different types of addictive behaviour. When it comes to those people, they often simply

change the object of their addiction, but not their behaviour.

**N: What phases does a victim of extortion go through until they recover or at least start feeling better?**

**M:** The victims of extortion go through a process similar to the one the victims of violence go through. On the one hand, it's partly manipulation, which weakens the victim's capacity and shakes the foundations of their being and existence. They are often told they're not good or hardworking enough, which leads to shame and guilt. There's also fear that someone might hurt them or even their loved ones. During this process, the victim gradually weakens their capacities and finds it increasingly difficult to find a way out of it and confide in someone. When talking about recovery, social support is important, and it should be systematic. Prevention and systematic solutions exist only if institutions react adequately. When a trauma occurs, then we talk about systematic solutions to which institutions can provide adequate reactions, be it the court, the police or, naturally, psychological/psychiatric help, depending on the phases in which the victim is at that moment.

This systematic and social support is vital, so that the victim doesn't feel alienated, rejected and lonely. Such feelings only deepen fear. The example the father mentions, how his son managed to find something to keep himself occupied is a good one. However, we need to give it enough time. Once again, I'd like to point out this family as an example of good practice, because no matter how much trouble they've been through, they realised that they can only resolve the problems if they're united. This proves that every problem can be solved.

**N: What's your comment on the fact that there have been more commercials and ads for gambling and betting houses recently, sometimes even on channels with nation-wide coverage, featuring public figures, such as actors and athletes?**

**M:** Public figures have the right to choose who they want to represent and how and whether they want to promote such establishments. Having said that, some will do it to gain more popularity, some for money, while some will find another reasons, but they have every right to do that. That is a moral and ethical dilemma we all face. I get an impression that that gambling and betting houses are mainly well accepted and have become socially acceptable and normalised as such. People often don't really know what happens inside those establishments and how that can affect the society in a wider social sense. That story is similar to the one about drinking alcohol. Alcohol is so deeply accepted and normalised in our society that it often takes a long time for someone with this problem to come to their senses. We've accepted the existence and presence of gambling and gambling houses in the same way as we did with alcohol. It is a responsibility of the society and the state to regulate how such things can be advertised, where such establishments can be located, whether they should be allowed near schools and, if not, how far away must they be from any school. It's important to include the state and the society in this process, because, after all, an individual has the right to present something like that and we should not get into discussions about moral and ethical reasons.

## CONCLUSION AND RECOMMENDATIONS FOR IMPROVEMENT

Extortion and usury are two criminal offenses that greatly affect the normal functioning of our society and wellbeing of the citizens of Serbia. As mentioned in the previous chapters, these two criminal offenses leave physical, psychological and economic consequence on the victims.

The victims live in fear for their lives or assets and they often suffer damage or destruction of their property, reputation or lifestyle. Particularly vulnerable are minors and women.

It is very important to note that this study presents cases reported to the relevant institutions, but bearing in mind the fact presented at the beginning of this analysis that only 9.5 percent of citizens decide to report such cases, questions arise regarding how much the citizens trust the institutions, as well as prevention and education provided by the state.

Consequently, the authors would like to make several recommendations that could help minimise the occurrence of these criminal offenses and help the victims:

- It is necessary to introduce an electronic record of these criminal offenses and criminal complaints at all relevant institutions (Ministry of Interior, primary and higher prosecutor's offices, primary and higher courts, etc.)
- It is necessary to improve and standardise the software packages used to record criminal offenses, so that they could contain precise demographic data about the perpetrators and victims, which would facilitate strategic planning of prevention and reduction programme for these two criminal offenses
- Provide an easily accessible method for reporting these two criminal offenses in a form of a dedicated phone number
- Provide professional psychological assistance to the victims from the moment a criminal offense is reported
- Implement an educational campaign that would include representatives of relevant institutions (Ministry of Interior, prosecutor's offices,...) and civil society, whose aim would be to prevent these two criminal offenses. A particular emphasis should be placed on the education of young people regarding the most common forms of these two criminal offenses, locations and profiles of people who could recruit or harm young people.

Primary Public Prosecutor's Office in Prijepolje,  
Valterova bb, Prijepolje

**REQUEST**  
**for access to information of public importance**

Pursuant to Art. 15, Paragraph 1, of the Law on Free Access to Information of Public Importance ("Official Gazette of the Republic of Serbia", no. 120/04, 54/07, 104/09 and 36/10), I request from the aforementioned institution the following:<sup>1</sup>

- Information whether it has the requested information;
- Insight into the document containing the requested information;
- A copy of the document containing the requested information;
- Delivery of the copy of the document containing the requested information:<sup>2</sup>
  - *Regular mail*
  - E-mail
  - Fax
  - Other method:<sup>3</sup> \_\_\_\_\_

This request is submitted for the following information:

- How many proceedings for the criminal offense of extortion were organised between 2016 and 2020 for each year individually?
- How many proceedings were discontinued for the criminal offense of extortion between 2016 and 2020 for each year individually?
- Classification of proceedings for the criminal offense of extortion between 2016 and 2020 based on the sex of the accused and the sex of the victim.
- Classification of proceedings for the criminal offense of extortion between 2016 and 2020 based on the age of the accused (underage person/person of a legal age) and the age of the victim (underage person/person of a legal age).
- How many proceedings for the criminal offense of usury were organised between 2016 and 2020 for each year individually?
- How many proceedings were discontinued for the criminal offense of usury between 2016 and 2020 for each year individually?
- Classification of proceedings for the criminal offense of usury between 2016 and 2020 based on the sex of the accused and the sex of the victim.
- Classification of proceedings for the criminal offense of usury between 2016 and 2020 based on the age of the accused (underage person/person of a legal age) and the age of the victim (underage person/person of a legal age).

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Furthermore, for the following information:

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Miloš Katić, VOICE editorial

Name and surname of the person requesting the information

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Address

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Other contact information

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In Novi Sad,  
on May 14<sup>th</sup>, 2021

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Signature



Primary court in Novi Pazar,  
Žitni trg 16, Novi Pazar

### REQUEST for access to information of public importance

Pursuant to Art. 15, Paragraph 1, of the Law on Free Access to Information of Public Importance (“Official Gazette of the Republic of Serbia”, no. 120/04, 54/07, 104/09 and 36/10), I request from the aforementioned institution the following:<sup>1</sup>

- Information whether it has the requested information;
- Insight into the document containing the requested information;
- A copy of the document containing the requested information;
- Delivery of the copy of the document containing the requested information:<sup>2</sup>
  - *Regular mail*
  - E-mail
  - Fax
  - Other method:<sup>3</sup> \_\_\_\_\_

This request is submitted for the following information:

- How many proceedings for the criminal offense of extortion were initiated between 2016 and 2020 for each year individually?
- How many proceedings were discontinued for the criminal offense of extortion between 2016 and 2020 for each year individually?
- How many proceedings for the criminal offense of extortion between 2016 and 2020 ended in acquittal for each year individually?
- How many proceedings for the criminal offense of extortion between 2016 and 2020 for each year individually ended in a punishment for a misdemeanour?
- How many proceedings for the criminal offense of extortion between 2016 and 2020 for each year individually ended in punishment for a felony?
- How many proceedings for the criminal offense of extortion between 2016 and 2020 ended in acquittal for each year individually?
- Classification of proceedings for the criminal offense of extortion between 2016 and 2020 based on the sex of the accused and the sex of the victim.
- Classification of proceedings for the criminal offense of extortion between 2016 and 2020 based on the age of the accused (underage person/person of a legal age) and the age of the victim (underage person/person of a legal age).
- How many proceedings for the criminal offense of usury were initiated between 2016 and 2020 for each year individually?
- How many proceedings were discontinued for the criminal offense of usury between 2016 and 2020 for each year individually?

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1 Tick the box what legal rights to access to information you wish to exercise.

2 Tick the box for the chosen delivery method.

3 When requesting another delivery method, you need to provide details regarding the delivery method you request.

- How many proceedings for the criminal offense of usury between 2016 and 2020 ended in acquittal for each year individually?
- How many proceedings for the criminal offense of usury between 2016 and 2020 for each year individually ended in a punishment for a misdemeanour?
- How many proceedings for the criminal offense of usury between 2016 and 2020 for each year individually ended in a punishment for a felony?
- How many proceedings for the criminal offense of usury between 2016 and 2020 ended in acquittal for each year individually?
- Classification of proceedings for the criminal offense of usury between 2016 and 2020 based on the sex of the accused and the sex of the victim.
- Classification of proceedings for the criminal offense of usury between 2016 and 2020 based on the age of the accused (underage person/person of a legal age) and the age of the victim (underage person/person of a legal age).

Furthermore, for the following information:

(please provide as detailed description as possible regarding the requested information, as well as other data that would facilitate finding the requested information)

Miloš Katić, VOICE editorial

Name and surname of the person requesting the information

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Address

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Other contact information

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In Novi Sad,

on May 15<sup>th</sup>, 2021

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Signature

CIP - Каталогизација у публикацији  
Библиотеке Матице српске, Нови Сад

336.782(497.11)"2016/2020"  
343.713(497.11)"2016/2020"

КАТИЋ, Милош, 1986-

Iznuda i zelenastvo u Srbiji [Elektronski izvor] : za period od 2016. do 2020. godine / [Miloš Katić, Sanja Kosović]. - Novi Sad : Nezavisno društvo novinara Vojvodine : Vojvođanski istraživačko-analitički centar, 2021

Način pristupa (URL): <https://voice.org.rs/>. - Opis zasnovan na stanju na dan 10.12.2021. -  
Nasl. s naslovnog ekrana.

ISBN 978-86-88303-31-6

1. Косовић, Сања

а) Кривична дела - Изнуда - Зеленаштво - Србија - 2016-2020

COBISS.SR-ID 53545993



**Voice**

Vojvođanski  
istraživačko-analitički centar