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| ММ    |          |      |        |        |

VLADA REPUBLIKE SRBIJE, MINISTARSTVO PRAVDE  
Ministar Nikola Selaković  
Nemanjina 22-26, 11000 Beograd

PRAVOSUDNE INSTITUCIJE SRBIJE SU NAJAČA  
TVRĐAVA ODBRANE KORUPCIJE, ZLOUPOTREBA I  
UGROŽAVANJA PRAVA GRAĐANA SRBIJE

Poštovani,

U više dopisa dokumentovano smo Vas upoznali da se uz podršku i logistiku pravosudnih institucija (Ministarstvo Pravde, Visoki savet Sudstva i Visoki savet Tužilaštva) sprovodi ugrožavanje prava, privatne i javne svojine građana Srbije.

[http://www.pravonazdravlje.com/documents/aktivnosti/20\\_09\\_2011\\_zahtev.pdf](http://www.pravonazdravlje.com/documents/aktivnosti/20_09_2011_zahtev.pdf)

[http://www.pravonazdravlje.com/documents/aktivnosti/07\\_09\\_2011\\_sluzbena%20beleska.pdf](http://www.pravonazdravlje.com/documents/aktivnosti/07_09_2011_sluzbena%20beleska.pdf)

[http://www.pravonazdravlje.com/documents/aktivnosti/malovic\\_zahtev.pdf](http://www.pravonazdravlje.com/documents/aktivnosti/malovic_zahtev.pdf)

[http://www.pravonazdravlje.com/documents/aktivnosti/20\\_09\\_2011\\_zahtev.pdf](http://www.pravonazdravlje.com/documents/aktivnosti/20_09_2011_zahtev.pdf)

[http://www.pravonazdravlje.com/documents/aktivnosti/prilog\\_I.pdf](http://www.pravonazdravlje.com/documents/aktivnosti/prilog_I.pdf)

Dokumentovano smo Vas upoznali sa dešavanjima u civilizacijski neprimerenim aferama u zdravstvu za koje je Dir. Vašingtonskog centra za zaštitu uzbunjivača sugerisao korišćenje ne termina zloupotreba i korupcija već masovno ubistvo <http://pistoljka.rs/home/read/130>

1. Institucionalno Ugrožavanje prava na život pacijenata obolelih od raka zbog protivpravne materijalne dobiti. Institucionalno veštačko održavanje nedovoljnih kapaciteta za lečenje obolelih od raka radioterapijom, formiranje nezakonitih lista čekanja i preprodaja mesta na njima u okviru nezakonitog „dopunskog rada“ Institucionalno reketiranje oko 11.000 životno ugroženih pacijenata godišnje. Aferu institucionalno potvrdili; Odbor za

TO THE GOVERNMENT OF THE REPUBLIC OF SERBIA  
Mr. Nikola Selakovic, the Justice Minister  
22-26 Nemanjina Street, 11000 Belgrade

THE JUDICIARY OF SERBIA IS THE STRONGEST FORTRESS  
DEFENDING THE CORRUPTION, ABUSE OF POWER AND  
VIOLATIONS OF THE RIGHTS OF THE SERBIAN CITIZENS  
Dear Sir,

In numerous letters so far, we have informed you with written evidence that with the support and logistics of the judiciary of Serbia and Government Agencies (Department of Justice, High Council of Justice and High Council of public Prosecutors) the rights of Serbian citizens as well as their private property and public property are being violated.

[http://www.pravonazdravlje.com/documents/aktivnosti/20\\_09\\_2011\\_zahtev.pdf](http://www.pravonazdravlje.com/documents/aktivnosti/20_09_2011_zahtev.pdf)

[http://www.pravonazdravlje.com/documents/aktivnosti/07\\_09\\_2011\\_sluzbena%20beleska.pdf](http://www.pravonazdravlje.com/documents/aktivnosti/07_09_2011_sluzbena%20beleska.pdf)

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[http://www.pravonazdravlje.com/documents/aktivnosti/20\\_09\\_2011\\_zahtev.pdf](http://www.pravonazdravlje.com/documents/aktivnosti/20_09_2011_zahtev.pdf)

[http://www.pravonazdravlje.com/documents/aktivnosti/prilog\\_I.pdf](http://www.pravonazdravlje.com/documents/aktivnosti/prilog_I.pdf)

We have sent you sample evidence informing you of the events in the scandals and affairs plaguing the public healthcare system in Serbia proper which are unbecoming of civilized nation, for which affairs the director of the Washington Center for Protection of Whistleblowers suggested that in lieu of using the expression misfeasance in office and corruption, the term mass murder should be used. <http://pistoljka.rs/home/read/130>

1. The institutional endangering of the right to life of cancer patients because of illegal pecuniary gain. The institutional artificial keeping of insufficient capacities for medical treatment of cancer patients by radioterapy, forming of illicit „waiting lists“ for treatment of terminal patients and sale of places on the list within illegal „supplemental“ work. Institutional racketeering of 11.000 patients annually whose lives are in peril. This affair has been institutionally confirmed by the following: The Committee for Health and Family of the Serbian Assembly, the Ombudsman of Serbia, two ministers of public health, the very organisers of the affair

zdravlje i porodicu Skupštine Srbije,  
Ombudsman Republike Srbije, dva ministra  
zdravlja, sami organizatori afere.

Posle četiri godine od javnog objavljivanja  
jedini rezultat je državni progon  
doktora koji su pomogli da se afera otkrije.

2. Koruptivna sprega Hitne medicinske pomoći i pogrebnih preduzeća. Životno ugroženi pacijenti zovu hitnu pomoć a umesto lekara sa stetoskopom stiže pogrebnik da premeri buduću mušteriju metrom. Inspekcija ministarstva zdravlja utvrdila da u 53 slučaja nije rađena indikovana reanimacija što je bar u osam slučaja dovelo do smrti pacijenta. U proteklih 7 godina jedini krivac je doktor koji je obelodanio aferu i ostao bez posla i mogućnosti za posao.
3. 600% za godinu dana povećana smrtnost pacijenata na dijalizi zbog komercijalnog dogovora menadžmanta zdravstvene ustanove. Iako je inspekcija ministarstva zdravlja utvrdila kristalizaciju rastvora tokom hemodijalize, posle dve godine pravni epilog je smena doktora koji je obelodanio aferu
4. Zloupotreba 50.000.000,00 evra iz kredita Evropske Investicione banke za rekonstrukciju 20+1 bolnice. Sredstva evropske investicione banke su dokazano zloupotrebljena, bolnice nisu rekonstruisane a pacijenti na koje padaju plafoni u bolnicama vraćaju te kredite uz pripadajuće kamate. Posle pet godina od javnog objavljivanja jedini rezultat te afere je institucionalni progon doktora koji je aferu obelodanio.

I pored dostavljenih dokumenata o dešavanjima vezanim za ove afere ni Ministarstvo Pravde ni Visoki savet sudstva ni Visoki savet Tužilaštva nije interesovalo

- ko je pretio postupajućem sudiji smrću da sudija odbija da sudi u predmetu gde uzbunjivač traži zaštitu od mobinga, sudija plače pred strankama u postupku objašnjavajući da ne želi da umre u 41 godini !

- da sudija izmisli zakonski nepostojeće sudske takse veće od iznosa ukupnih godišnjih primanja stranke, kao sredstvo odvratanja uzbunjivača od

themselves. Four years after publicly revealing the scandal the only result of the affair is the Government-sponsored persecution of the medical doctors-whistleblowers.

2. The corruptive conspiracy between the emergency squad and undertakers. Patients in need of immediate medical attention call the emergency squad and instead of a medical doctor with a stethoscope, the undertaker arrives to size up the future „client“. The inspectors of the Ministry of Health have found out 53 cases in which there were no attempts in already indicated reanimation which brought to death at least 8 patients. In the last 7 years the sole culprit is one physician who discovered the scandal, got fired from his job and without possibility to find another employment.
3. The death rate of the patients receiving dialysis has increased by 600% for one year only because of the commercial arrangement between the management of the healthcare institutions. Although the inspectors from the Ministry of Health have found out the crystallization of the solution during hemodialysis, two years later the legal outcome is the removal from the job of the physician who has uncovered the scandal.
4. Embezzlement of 50.000.000,00 EUR from the credit facility extended by the European Bank for Investments for reconstruction of 20+1 hospitals. The funds given by the European Investment Bank have been embezzled, which is a proven fact and the hospitals have not been reconstructed, and the patients on whom the ceilings are falling off in the hospital wards are paying back these loans with accrued interest thereon. Five years after public uncovering of the affair, the only result is the institutional persecution of the physician who has uncovered the scandal.

Despite submitted documents on the events linked to said affairs neither the Ministry of Justice nor the High Council of Judiciary or High Council of Public Prosecutors have been interested in who issued death threats to the judge who was seized of the matter,

- that the presiding judge refused to try the case where the „whistleblower“ was asking for protection against mobbing, the judge crying in front of the parties to the proceedings, explaining that he does not want to die a violent death, being only 41 years old !

- The above institutions were also disinterested in the fact that the judge made up non-existing court stamp duty, higher than the total annual amount of

korišćenja pravnog leka žalbe!

- da postupajući sud **na molbu** Ombudsmana i Ministra Pravde za predkid dvogodišnje opstrukcije postupka zaštite uzbunjivača odgovori tako što **ponovo odloži ročište na neodređeni rok jer je sud izgubilo predmet !**

- kakvu pravnu poruku šalje Presuda u sporu uzbunjivača zbog mobinga (Parafraziram) Siledžija se kažnjava sa 4.000 evra a Zlostavljena žrtva plaća 10.000 evra odštete jer je pobešla od siledžije i on nije imao koga da zlostavlja.!

- kakvu pravnu poruku i kakvo poverenje građana u institucije izaziva lavina tužbi državnih funkcionera protiv Predsednika nevladine organizacije ( dobitnika evropske nagrade za borbu protiv korupcije) **zbog javnog citiranja stavova evropskog i srpskog parlamenta, evropskih i srpskih zvaničnika** ? Pozive za ročišta ne nose sudski pozivari već uniformisani policajci, koji idu od vrata do vrata u soliteru gde tuženi živi i kod komšija se raspituju šta oni znaju o tom „opasnom kriminalcu“ Za to vreme tuženom i njegovom pravnom zastupniku nije dostavljen ni tekst tužbe.

**Koliki je strah i nepoverenje građana Srbije u pravosudne institucije** dokumentovali smo Vam sa dva neverovatna slučaja koja su **nam dostavile same sudije :**

-**otimanje privatne imovine građana preko suda** , gde sud kao osnov presude koristi fotokopiju nepostojećeg dopisa a koji se odnosi na imovinu psihijatrski neuračunjive osobe i to 15 godina nakon njegove smrti. Interesantno je da u ovom slučaju nenadležni sudija Vrhovnog suda ( koji ima moć uticaja na reizbor drugih sudija) zove stranaku u postupku u **kafnu** gde ga upozorava da odustane od **pravnih radnji** jer osoba koja ga je tužila je njegov kućni prijatelj. !

-**otimanje javne imovine od opšteg interesa preko suda**. Privatno lice, falsifikatom službene isprave tuži Opštinu u sporu oko vlasništva nad zemljištem od **opšteg interesa** sa nemenom –kultura. Sud zakaže ročište, pismeno ga otkáže Opštini i to otkazano ročište održi. Zbog nedolaska Opštine na otkazano ročište presudi u korist privatnog lica. **Pravni lek – žalbe zbog propusta suda i činjenice krivičnog dela-falsifikata službenog dokumenta za ovakav sud je neosnovana** Iako je Ministarstvo Pravde sva potrebna dokumenta dostavilo

personal income of the litigant, as the means of preventing the whistleblower from using the appeal as a legal remedy !

- In one instance, the court of law who was seized of the matter, **at the request of the Ombudsman** and Justice Minister that a two-year long obstruction of the process of protection of whistleblowers be stopped, responded by **again postponing the oral hearing for an infinite time period because the court registry allegedly lost the case file !**
- **What legal message is sent by the court verdict in dispute** initiated by the whistleblowers against mobbing (I am paraphrasing the statement): The bully is fined by a fine of 4,000 EUR while the victim pays 10,000 EUR in damages because she ran away from the bully and he did not have anyone to molest !
- **What kind of legal message is sent and what kind of trust in public institutions** can be expected by an avalanche of lawsuits filed by top Government officials against the president of an NGO (the winner of the European Award for fight against the corruption), **because of quoting publicly the standpoints of European and Serbian Parliament, European and Serbian dignitaries** ? The summonses for hearings were handed over not by court clerks but by policemen in uniform who were going door-to-door in the scyscraper where the defendant lives and inquiring with the neighbors what do they know about a „*dangerous criminal*“. **At the same time, the statement of claim/complaint was not served on the defendnat and his lawyer.**

We have informed you with supporting documentation of the **fear, apprehension and mistrust** that the Serbian citizens have in Serbia's judiciary, which is illustrated by two unbelievable cases **that the judges themselves informed us about.**

- **Confiscation of private property of citizens in courts of law**, where the judge as the basis for the judgment is using a photostat copy of non-existent letter which relates to the assets of a **mentally incompetent person 15 years after that individual's death**. It is interesting that in this case the judge sitting in the Supreme Court , having no jurisdiction over the matter, (but has power in re-election of inferior courts judges) invites one of the litigants to **coffeehouse** where **he warns the party to proceedings to drop the case**, because the opposing party who is the judge's house friend !
- **Confiscation of public property by courts of law.** A private individual, using a forged official document sues the Municipality in dispute over ownership of

nadležnom republičkom tužilaštvu, već dve godine tužilaštvo je odbilo da preduzme bilo koju pravnu radnju provere i zaštite javne imovine građana.

Ove iznešene činjenice o načinu rada Ministarstva Pravde, Visokog Saveta Sudstva, Visokog Saveta Tužilaštva i praksi postupajućih sudova daju jasan odgovor na pitanje zašto Srbija ima toliki broj predmeta pred Sudom u Strazburu gde je tuže njeni građani. Ove činjenice ukazuju i na to da bez brzog i odlučnog rešavanja gore iznešenih afera, svaki Zakon o zaštiti uzbunjivača je mrtvo slovo na papiru.

I na kraju postavljamo pitanje – da li je interes države Srbije da se afere u zdravstvu, koje su okvalifikovane rečima „masovno ubistvo“, rešavaju pred međunarodnim institucijama i sudovima?

U iščekivanju Vašeg odlučnog reagovanja,  
S Poštovanjem,

Udruženje za zaštitu prava pacijenata  
„Pravo na Zdravlje“  
Predsednik Skupštine udruženja  
Igor Bogićević

Predsednik Udruženja  
Miroslav Petrović

[www.pravonazdravlje.com](http://www.pravonazdravlje.com)  
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land which is of **public interest**, intended for **cultural events**. A court fixes a hearing, then informs the municipality that the hearing is postponed, but the judge still conducts such (postponed to municipality only) hearing. Because of lack of appearance of municipality's lawyers at the hearing, the judge renders a **default judgment** against municipality and rules in favor of a private individual. The appeal against the omission of the court and criminal offense-forgery of an official court documents is groundless in law for the court, although the Ministry of Justice has forwarded all necessary documents to the Attorney General's Office, which, in turn, for two years already, has declined to take any legal action to check and protect public property.

The above presented facts on the work of Justice Ministry, High Council of Judiciary, High Council of Public Prosecutors and caselaw of the courts of law are giving us a clear answer to the question why does Serbia has so many court ECHR cases being conducted against her at the ECHR court in Strasbourg, where Serbia is sued by her own citizens. These facts also point that without swift and resolute solution of the above scandals, each Law on Protection of Whistleblowers will only be a dead-letter.

At the end, we want to pose a question – is it in Serbia's interest that the public healthcare scandals and affairs, which have been already qualified as „mass murder“ be resolved before the international institutions and law courts?

In awaiting your reactions, I remain,

Yours respectfully,

„Right to Life“

Association for Protection of Patients' Rights

Chairman of the Assembly, Igor Bogićević

President of the Association, Miroslav Petrović