

THE REPUBLIC OF SERBIA
ANTI-CORRUPTION AGENCY
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THE REPUBLIC OF SERBIA
GOVERNMENT OF THE REPUBLIC OF SERBIA
The First Deputy Prime Minister in charge of Defence, security, anti-corruption and
anti-criminal struggle
Mr Aleksandar Vucic

11 Nemanjina Street,
Belgrade

Dear Mr Vucic,

From the very moment of its foundation and being aware of importance of solving the disputed cases of privatization, systematic corruption as well as of importance of creation of a healthy surroundings for both domestic and foreign investors, based on the authorities regulated by the Anti-corruption Agency Law, Anti-corruption Agency has been acting in accordance with the petition of Ilija Devic, investor-buyer of ATP "Vojvodina" from Novi Sad.

We address You in this way so that You can, within the boundaries of Your legal authorizations but also by Your personal authority, preserve independence of judiciary, judges and other persons and institutions in charge of judicial functions, having in mind acts and way of public addressing of some public functions holders which can seriously discredit reputation and European perspective of our country.

Given the fact that the European Commission marked privatization of ATP "Vojvodina" as one of 24 controversial privatizations, You are undoubtedly familiar with the entire procedure of privatization, the actions in response to the charges filed by the very company ATP "Vojvodina" but also with the actions of the very buyer of the privatization subject. In relation to the above mentioned facts, we would like to mention one of important moments in the procedure of final solving of only one of the problems relating privatization of this company, and that is making and adopting of request for delay of the execution in accordance with the final and enforceable judgement P-No 4597/2010 rendered on 6 April, 2012 by the Commercial Court in Novi Sad, corrected by the decision of the same court made on 10 May, 2012. The judgement says that the respondent, the City of Novi Sad, is obliged to pay to the claimant ATP "Vojvodina" in reorganization the damage compensation in the amount of 1.333.914.000, 00 dinars as the main debt and legal interest on arrears starting from 20 December, 2011.

In explanation of the request for the execution procedure delay it is said that enforcement of the legally regulated execution from the funds of the debtor would cause the account blockage and disturbance in functioning of all the city communal, social and other public services and that the executive creditor, although in the process of reorganization, would not suffer any damage.

It is not clear if the abovementioned arguments for delay of the execution are of legal nature since the reasons for the delay are not regulated by the law, or if their purpose is to, in an indirect but definitively obvious way, also influence upon the future decision making by the judicial institutions relating extraordinary legal remedies, audit and RPL. In this, we especially emphasize the fact that the case of ATP “Vojvodina” contains significant distinction when compared to other controversial privatizations; in the European Commission’s opinion the distinction is seen in the fact that in this case the buyer of the privatization subject is the one who suffers damage and because of that the procedure of liquidation was open in the subject of privatization which employed members of 500 families, and that is certainly neither aim or purpose of the change of ownership of the funds.

Having in mind all these facts, Anti-corruption Agency will continue to monitor acts of the institutions in charge and other persons involved in the execution delay request as well as the extraordinary legal remedies, and special attention will be paid to independence of the judicial authorities.

DIRECTOR

Tatjana Babic