



ATP Vojvodina - Chronicle of a Stopped Investment

European Officials on Progress of Serbia in Solving of 24 Compromised Privatizations:

Excellent, but not Sufficient

It seemed in the beginning of 2012 that the domestic authorities would finally explain what had been happening in 24 cases of compromised privatizations. The Presidential and Parliamentary election campaigns were in full swing in that time and flying on the wings of promises relating, among others, uncompromising struggle against corruption, the Progressives won the majority of the electoral body. In the same time, Europe showed great interest in the cases and they announced that it was not possible to open the Chapters 23 and 24 until solving the cases. It was in March that the European Parliament for the first time voted for the Resolution on progress of Serbia. It was precisely said in the Resolution that solving of the cases was demanded and as for the five biggest cases – privatization of *Jugoremedija*, *Mobtel*, *CMarket*, *Sartid* and *ATP Vojvodina*, investigation of role of the institutions was de-



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manded as well. Besides, in their previous correspondence with Serbian authorities, European Commission singled out the case of *ATP Vojvodina* as the only example in which not the state but the investor was the one who suffered the damage due to privatization.

In addition, the Resolution demanded from the Serbian authorities to open the documents relating privatization which were

treated as the state secret. Attention was also drawn to other reported irregularities, especially in the areas of privatization and public procurements, due to which the independent state agencies were invited to be more active in providing a detailed investigation in order to bring the perpetrators to justice. It was stated in the Resolution from March, 2012, that „When fight against corruption and organized criminal is con-

cerned, EP welcomes adoption of the laws and regulations in this area in Serbia but, in the same time, it expresses its concern because of lack of their implementation as well as because of influence of the authorities on the work of the independent institutions and media.“ These questions are, even after three years, still current issues.

It is true that, as soon as the new Government was established, there were several spectacular arrests and a team was formed in the police whose task was also to investigate „the list of 24“. It seemed as if corruption repression and clarifying of the privatizations would be successful. Nowadays, when the results are being summed up, it is obvious that not even one case from the list has got its court epilogue. The team which had been formed in the police was disbanded and there was not even one case in which the role of the institutions and originators had been

It is said in the report on progress of Serbia that there is no doubt that there is political will in Vučić's Government to solve the high profile corruption cases, but that certain structures in the state are not ready for that.

investigated. As for *ATP Vojvodina*, it is absurd that, instead of carrying out the investigation to find out who was the one who inflicted damage to the company, employees and owner as well as to the City of Novi Sad budget, the police filed criminal charges against the investor, Ilija Dević, who even spent more than a month in detention.

These illogical points did not go unnoticed by the European Parliamentarians. It was said in one of the latest reports on progress of Serbia which was published last year mid October that the current Serbian Government and

Prime Minister Vučić showed strong devotion to solving of this problem. However, „further efforts are generally necessary in order to make the judicial authorities and prosecution more active“.

„We assess that, besides the doubtless political decisiveness among the state leaders, some structures inside the state apparatus and judiciary, such as the Special Prosecutor's Offices, have not acted properly in the cases of high-profile corruption“, the European Parliament concluded. Majority of domestic experts, as well as the public, agree with their assessments. *M. N. S.*

Has the City Missed the Deadline for Realization of the Claim for Reimbursement?

In the litigation between *ATP Vojvodina* and Ilija Dević as the intervener on the side of the claimant against the prosecuted – the City of Novi Sad, The Supreme Court of Cassation issued the judgement on 9 May, 2013, saying that the City was obliged to pay to the claimant the amount of a little less than 4 million Euros, including the interest as well. The City paid the awarded damages to the company, in that way acquiring the right to claim recourse from the responsible person. Namely, according to the regulations in the Article 172, Par. 2 of



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the Law on Obligations, the legal entity which paid the damage compensation has a claim of reimbursement from the person who, either unintentionally or by extreme negligence, caused the damage.

However, the claim of reimbursement expires six months after the date of the damage payment. Every citizen of Novi Sad who is a taxpayer should for sure wonder if the City of Novi Sad filed the criminal charge against those responsible for the damage within the statutory period. If not, who is responsible for missing the deadline? *Emir Jašarević, lawyer*

Consequence of Unreformed Judiciary

The way in which the case of *ATP Vojvodina* has been conducted is simply a consequence of the unreformed judiciary system the weakest links of which are in police and prosecution. Even the fact that European Union has pointed to that fact does not comfort us, because there are still no changes. Although there are excellent professionals in both the police and prosecution who are trying to do their jobs, there are too many of those who work according to the system of listening. They assess the things going on among those in top government, those who make the decisions, as well as in the centres of political, but economic power as well. The way in which they conduct the criminal proceedings and the persons they prosecute are the actions by which they try to meet either supposed or real expectations of those being on the



Foto: Miroslav Dragović

top of the pyramid of decision making. That is why the anti-corruption fight is not jeopardized in our country and the foreigners are right about this issue – political will does exist. But the key defect can be found in the way in which the police and prosecution apply that in practice – if they act extremely unprofessionally, if there is abuse, imputation, selecting. It is clear to us who are close to these circles that there are mutual reckonings among them, paying back „the old debts“, satisfying some other structures, but there is also unwillingness and incompetence result of which is their fear of losing their jobs and positions. Because of that, the best „solution“, in order not to be publicly polled, is to push the man into criminal prosecution and let the things happen in the way they will in this or that way.

I really do not think that somebody from the

top government gives immediate directions by the model „arrest this one“ or „investigate that one“. On the contrary, I believe that when big acts are concerned, everything functions in accordance with the briefing system - if the police claim that there is a criminal act and the prosecutor confirms that, it is quite normal for those in power to demand for the person to be processed. And then we can hear „Vučić arrested“ and „Vučić gave the order“. But, when the case comes to the court, it is clear that the job was not done professionally in the first phase. Then we wonder how it is possible that there are so many acquittals, how many damage compensations have been paid from the state budget due to unjustified persecution. Of course, there are the judges who function in accordance with this principle because of their own career and promotion and there is a slight difference there, so I wouldn't put all the judges in the same piece.

Nikola Stanojević, lawyer

Genesis of ATP Vojvodina case

On the auction in 2004, Ilija Dević bought ATP Vojvodina, and it was already in the first year that he fulfilled the investment plan, bought about 30 new buses on lease, became official dealer of „Setra“ and „Mercedes“ and employed 200 new workers. During the second year, based on the contract concluded with the City of Novi Sad, he began to build the international bus station on the ground belonging to ATP Vojvodina, and that investment „weighting“ about 30 million Euros was financed from the credit guaranteed by Dević's personal property. Besides modern bus platforms and the central building, there was also a service workshop covering the area of 4,000m² built according to the project of „Mercedes“ so that it could be their centre for this part of Europe. Obligation of the City was, after completion of the bus station building, to redirect the traffic to the new location. However, it has never been done, the new bus sta-

tion could not start to work and, under pressure of the credit installments, ATP Vojvodina bankrupted and 500 employees lost their jobs. The contract concluded with the City is still in force, but the station does not work yet. Why didn't the state authorities investigate the case? The investigation was redirected to determining possible illegal elements in Dević's business activities but the issues concerning ATP Vojvodina's being put on the „24 list“ haven't been considered. Namely, the European Union demanded investigation regarding the role of the institutions in this and another 4 cases and the public would like, besides other things, to learn in whose interest it was to destroy a good company.

In the time when the problem of the new bus station appeared, it was speculated that there were several groups interested in the matter, mostly from the world of „dirty capital“, who wanted to „take over“ the investment. Bankruptcy of the company was something that suited them because

that would reduce the price of the facilities. It has never been clarified why the City authorities participated in the matter and it is especially interesting that the same course of ignoring the investor has been kept by the then Mayor Maja Gojković, by the Democrat Igor Pavličić and current Progressive Miloš Vučević.

There is also another version, an unconfirmed information coming from the European circles, according to which, along with the concluding the contract between Dević and the City, negotiations had been conducted with certain Russian through its Swiss branch and its substation in Serbia. The Russians had allegedly been interested in building of the gas power plants, but also in buying of the City transport company, expecting that the contract could have also included the newly built bus station of ATP Vojvodina. The course of the events from that period was in favour of this thesis since, in spite of the fact that the new bus station had the contract concluded with the City of Novi Sad as well as all the necessary licenses, it has never managed to start its activities because the City authorities have not redirected the traffic to that new location. It has been speculated that in this case the exchange of thesis occurred or, in other word, the investigation was turned from the ones responsible for the damage to criminal prosecution of the investor in order to hide role of the politicians from two in that time most influential parties in Novi Sad and the Province.



The Constitutional (In)Equality



Emir Jašarević

obligation rights as well as opposite to good business customs. Its execution in practice would violate to a great extent material goods to the detriment of the City Public Transport Company (CPTC), and the litigants in the process acted with a bad intention, i.e. an intention to inflict harm to the third party and provide benefit to the claimant. „...“ The contracting parties were intending to move the intercity and international traffic bus station service activities from 6 Jaša Tomić Boulevard to newly-built bus station owned by the claimant. Although not directly said, it means that this disables doing of these activities by the then and current executor of these activities CPTC and transfers all the activities to the claimant. Hence, the question arises if such a contract making which inflicts harm to the one who does these activities and transferring of the activities to the claimant can have legal effect in relation to CPTC. Can the respondent take such an obligation and execute it in practice? In the opinion of the Audit Court, such contracting is void.“

According to the regulations of the Article 36 of the Republic of Serbia Constitution, the same rights protection is guaranteed before the courts and other state agencies. Then, protection of private, cooperative and public property (state property, property of an autonomous province property and local self-government) is guaranteed by the Article 86 of the Constitution. All forms of property have the same legal protection.

This constitutionally proclaimed equality before the courts is very often turned into inequality if the party being on the opposite side is the Republic of Serbia, the Autonomous Province of Vojvodina, the City of Belgrade, the City of Novi Sad, any other City or even a public company. There are many examples from practice for this constitutional and legal (in)equality. For the needs of this text, I will single out the following:

In the dispute between the claimant ATP Vojvodina and Ilija Dević as an intervener against the respondent the City of Novi Sad, the Supreme Court of Cassation (Council of the judge Stojan Jokić) in its decision made on 9 May, 2013, decided that the City of Novi Sad and that time private company ATP Vojvodina a.d. Novi Sad, had concluded absolutely void contract on 8 May, 2006. Let me remind you, according to the contract ATP Vojvodina had the obligation to build a new bus station on its own location, and the City of Novi Sad had the obligation to move the intercity and international traffic from the old bus station to the new one. The reason for finding that document void was explained in the following way by the Supreme Court of Cassation:

„...The contract concluded between the litigants is obviously opposite to certain social norms and principles of the

- Although the Constitution guarantees equal legal protection of all forms of property, in practice is the interest of private property subordinated to the interest of the public property
- The City of Novi Sad as a contracting party was informed about and was aware of the size of ATP Vojvodina investment and the consequences of non-compliance with contractual obligations
- According to the Obligation Rights Rules, a creditor has the right on the damage and lost benefit compensation which had to be predicted by the debtor in the time of the contract concluding as a possible consequence of the contract breaching

worst possible message here is that there is nobody to protect private property and private interest, and that all other forms of property are subordinated to public property.

According to the Article 10 of the Law on Obligations, the parties which conclude a contract are free within the boundaries of compulsory regulations, public order and good customs to regulate their mutual relations at their free will.

of the City Assembly. It is supposed that the Mayor is familiar with his/her job. It is generally known that the public of the City of Novi Sad, every alderman of the Assembly and the Assembly as a whole knew about the negotiations, intentions and the contracts, but nobody opposed to the then City Government in relation with conclusion of such a contract. The Assembly of the City of Novi Sad voted for changes of the urbanistic conditions and building of the new bus station.

According to the regulations of the Article 266 of the Law on Obligations, a creditor has the right to get common and lost benefit compensation which had to be foreseen by the debtor in the time of the contract concluding as a possible consequence of the contract breaching, and with the view of the facts he was familiar with or had to be familiar with in that time. The City of Novi Sad as a contracting party was familiar with and was aware of the size of ATP Vojvodina investment as well as of the consequences of breaching of the contracted obligations. That was taken into account by the Court of Appeal which, in the second instance proceedings for defining the damage which ATP Vojvodina suffered due to breaching of the contract, implemented the regulations of the Articles 266, 269 and 189 of the Law on Obligations. On the other side, even if the Mayor did sign the contract she did not have the authority for, or she exceeded the authority, responsibility of the defendant for the damage compensation is also based on the regulations of the Article 172 of the Law on Obligations which says that a legal entity is responsible for the damage caused by his/her institution to the third party while performing or in relation to performing his/her functions.

Even in case the contract is void, according to the Article 108 of the Law on Obligations, the contractor who is guilty

Corrections

In everyday life, when court judgments are concerned, there are more and more comments such as: „Court judgements are not to be commented but they are to be executed.“ The author of this text would rearrange and expand it in the following way: „Court judgements are to be executed in the same way, no matter who the executive debtor. Because of the public, because of Serbia as a legal state, each court judgement coming out of a court should be publicly, expertly and responsibly commented as much as possible.“

According to the regulations of the Article 22. of the Law on Obligations, when legal entities establish the obligation relations they act in accordance with their general acts. But, the contract which has been concluded or some legal act which has been performed contrary to these acts **remain in force**, unless the other party knew about that or the law defines it in a different way. Dević, as the Director of ATP Vojvodina, at the moment of the disputed contract concluding did not know and did not have to know if the City of Novi Sad as the contracting party and the Mayor as its assignee and the City executive body had got the consent, approval, directions or opin-

ion of the City Assembly. It is supposed that the Mayor is familiar with his/her job. It is generally known that the public of the City of Novi Sad, every alderman of the Assembly and the Assembly as a whole knew about the negotiations, intentions and the contracts, but nobody opposed to the then City Government in relation with conclusion of such a contract. The Assembly of the City of Novi Sad voted for changes of the urbanistic conditions and building of the new bus station.

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for conclusion of a void contract is responsible to his counter contractor for the damage he suffers due to the void contract, in case the one did not know or, due to the circumstances, did not have to know about the reason for nullity. The attitude of the Supreme Court of Cassation that Ilija Dević as a privateer and ATP Vojvodina as a private company are equally responsible for conclusion of the void contract and that Dević, while concluding the void contract, had to take care of the interests of a public company even more than about interests of his own private company, is opposite to the regulations in the Article 86 of the Constitution of the Republic of Serbia.

The gist is that the City of Novi Sad mustn't have entered the negotiations, conclude the contract, let someone invest enormous amount of money, even let the one to pledge his assets for the investment and then the City failed to respect the contractual obligations. The City of Novi Sad paid the damage compensation in the amount of about 4 million Euros. The damage suffered by ATP Vojvodina and Ilija Dević is over 30 million Euros. Where is justice in this case?

In the text author's opinion, arbitrary interpretation and arbitrary implementation of the material law by the Supreme Court of Cassation to the detriment of the claimant ATP Vojvodina and the intervener Ilija Dević, Constitutionally guaranteed rights to have fair trial as well as the right on equal legal protection have been violated. The Supreme Court of Cassation's legal attitudes, assessments and implementation of material law did not have their foundation in factual situation determined in the first instance and second instance proceedings. Of course, the final decision is made by the Constitutional Court of Serbia or the Court in Strazbourg.

The author is a lawyer from Belgrade

The most outstanding illustration of the game played by the institutions in the case of ATP Vojvodina was the moment of Ilija Dević's arresting. What makes the absurd even bigger is the fact that the judicial authorities, in a painstaking trial, made the final decision that the damage inflicted on the company whose majority owner was Dević was made because of the fact that the City and Republic authorities had not fulfilled their obligations from the contract. Due to dereliction of the institutions and state agencies which were involved in the proceeding, the newly built bus station and the accompanying facilities could not work, could not acquire income and settle liabilities. That is why the complete company with 500 employees went into bankruptcy, the employees were sent to the bureau of labour and the property of the majority owner, who had been acquiring the property during 30 years of being a successful businessman, was threatened by mortgage activation - Nikola Stanojević says.

He reminds us that it was determined by the final court judgement that the City of Novi Sad had to pay damage compensation of 4 million Euros ATP Vojvodina and it was finally done, although that normally automatic procedure was accompanied by many obstacles.

- And instead of directing the criminal proceeding towards the persons from the state structures who caused the damage to the City, to its taxpayers, the company, its employees and the owner, they directed it towards Dević. They were trying to criminalize him and to attribute him with some allegedly criminal actions in his business activities in order to find an excuse for the failures made by the institutions and the City structures. The police which, by the way, had been investigating the business activities of Dević and ATP Vojvodina for many years, was used for that classic thesis replacement. The same people from the police who had continually been having insight into these documents since 2006, because they had almost

constantly been in the company together with the excise men and other inspections, now found some elements of a criminal act. The issues in question are the papers taken out of complete business activities context, with recycled, partially and selectively collected evidence. Even constructed in this way, even by definition they have nothing to do with the organized criminal attributed to Dević, and even less with the damage which was made as result of the fact that the City did not respect the contract - Stanojević explains.

He pointed out that if there had been actual failures or illegal elements in business activities during 2006 and 2007 and if Dević should have been processed, then either the Tax Administration or police had been obliged to file misdemeanor or criminal charges six or seven years ago.

- What prevented them from doing that in that time? Even then Dević was not the darling of government because, if he had been, he would not have had problems



If He Sues the State, he Will be Arrested

The criminal proceeding conducted now against Ilija Dević have nothing to do with solving of the 24 compromised privatizations. Dević himself is now directing the prosecution agencies towards possible offenders of the criminal acts which caused damage to the City and the company. The court determined the damage made to ATP Vojvodina, employees and trustees by making their final judgements for the amount of 4 million Euros. This damage will be significantly increased when the process for the personal damage compensation initiated by Dević has been completed. That is why he filed criminal charge against that time Mayor and the responsible persons from the City authorities. This is the point at which, having in mind the amount of money and the fact that there was correlation within the state institutions starting from Republic up to the City ones who prevented the new bus station from starting its work in spite of the valid contract, we can talk about organized criminal. But, instead of investigating whose interest was to disable work of the bus station and seize Dević's property, the police and prosecution are sending the following message: If you sue the state, you will be criminalized and arrested - says the lawyer, Nikola Stanojević.

Nikola Stanojević, lawyer

How is Organized Criminal Proved?

Classic thesis replacement occurred because the police and the Prosecutor's Office initiated criminal prosecution against the damaged one instead of directing the prosecution against the persons from the state structures who caused damage to the City, its taxpayers, the company and the owner

years but two years ago as well, but that time as members of now already disbanded work group whose task was to solve the cases of 24 compromised privatizations pointed out by the European Union - our interlocutor says.

He claims that during the last days of the year 2013 which was defined by the current government as the deadline for solving of „24 list“, this case was simply labeled as „a solved case“ in such a way that the police gathered all the papers and pushed the investor, the only one from the list of cases who suffered the damage

erty were not „sucked out“ of ATP Vojvodina but on the contrary, 30 million Euros was invested into it, new facilities were built, the business activities were expanded and 200 new workers had been employed. In other words, the owner did not take money out of the company he had bought, he had not bought yachts and aircraft, but he was developing business and building the company.

- In the criminal charge filed by the police and because of which Dević spent around a month in detention, according to the positive law regulations, there is not any other element of organized criminal. There is no conjunction with the institutions but on the contrary, they ignored the contract which is still in force. For the deeds attributed to him by the police there are not responsible persons from the state agencies or local self-government. Neither Dević has got an organized group of 10-15 people through whom he does something with certain intention - the lawyer emphasizes.

He also says the expert's evidence has been expected to be completed these days, and that is a standard procedure when criminal responsibility is determined. Of course, it would have been natural to do the expertise before beginning of the procedure, having in mind the amount of time the police had spent on investigation of 24 compromised privatizations and even much before that on investigation of business activities of ATP Vojvodina and Dević. But, even done in this way, it is legitimate - he says. He also adds that the order demanding the investigation was too wide and that includes the things it should not include, as if said „search and find no matter what“

- We are waiting for the expertise results, but I have already been informed that the experts haven't got the documentation from ATP Vojvodina and Mankop. These two companies, once belonging to Dević, are now in bankruptcy and they are managed by trustees, i.e. it is a director in ATP Vojvodina in which reorganization has been adopted. In principle, both of them are now in a hostile relation towards Dević, and the right question now is why they do not want to give the documentation - Stanojević points out.

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Ilija Dević has addressed the Prosecutor's Office about twenty times since 2008.

Where are the criminal charges disappearing?

Although Ilija Dević has filed so far around 20 criminal charges against former and current leaders of Novi Sad, but also against the Republic inspectors, as far as public knows only one of them has been solved and – dismissed.

Gordana Popović, the Basic Prosecution Deputy in Novi Sad, found out that „there are not elements of a criminal act for ex officio prosecution“ without even hearing either the criminal charges applicant, the investor Dević or Emir Jašarević, the lawyer for this part of the litigation. The criminal charges were filed because The Steering Committee of ATP Vojvodina (composed of the biggest trustees, primarily representatives of Credit Agricola Bank) had given the order to the lawyer to withdraw from already filed increased and expanded demand for determination of total damage made due to the City's failure to meet the contractual obligations. Otherwise, the demand was expanded in accordance with the judgement of the Commercial Court of Appeal which had given the order in the second instance proceedings to determine total damage inflicted not only in the business activities of the newly built bus station but also the dam-

age inflicted to the whole company and its owner. Withdrawal from the demand means damage to more than 400 of other trustees who could expect, if proved in the litigation, to collect high percentage of their receivables. The Prosecutor's Office did not find the criminal offense in the act of the Steering Body and the lawyer.

Destiny of other charges filed since 2008 is unknown, although Dević several times has asked if the charges have been dismissed,

Protection

It is interesting to mention that one of the City Council members included in the criminal charges filed by the Anti-corruption Agency was Gordana Pušić, wife of Bogdana Pušić who was in that time Deputy Chief of the Criminal Police Department and who was the Head of the work group for investigation of 24 compromised privatizations.

beginning of 2012 it filed the criminal charges to the Prosecutor's Office for Organized Criminal against the then Mayor of the City of Novi Sad, Igor Pavličić and the City Council members. It was claimed in the charges that, abusing the office, they had inflicted multi-million damage to ATP Vojvodina. The Agency stated then that the damage inflicted to ATP Vojvodina and its majority owner Ilija Dević exceeded 100 million Euros.

- Not even the criminal charges filed by the Anti-corruption Agency in the beginning of 2012 had sufficient number of documents to be processed
- The last criminal charges filed by Dević were against the Assembly President and the then City officials

er of the company and to the minority shareholders“, the Agency stated in the charges. „The documentation indisputably shows that the investor has met all his contractual obligations, while the City of Novi Sad justifies its failure to meet the contractual obligations by the court proceedings conducted before the Commercial Court for the damage compensation, and the very damage was caused exactly by the City's failure to meet the obligations „, it is further added and the judgement of the Commercial Court of Appeal from Belgrade is quoted as well. According to the judgement, the damage is 388,9 million dinars (4 million Euros by the then exchange rate) and it was only for the first four months during which the bus station did not work, while today the damage for the buyer and the company is more than 100 million Euros. Thereby, „the answers sent in reply to the Agency's written demand, Pavličić undoubtedly confirmed that all the decisions and signed contracts were legally valid and that no proceedings were initiated in order to annul or change the decisions „, the Agency added and recalled that the Commercial Court of Appeal from Belgrade made the judgement in 2010 in favour of ATP Vojvodina. The charges filed by the Anti-corruption Agency were also dismissed by the Higher Public Prosecution in Novi Sad within only 15

days from the date of filing and not even one of the defendants was heard.

Dević continued to file the charges. The last in the line was sent to the Prosecutor's Office more than a month ago, and it was filed against the then Mayor of Novi Sad, Maja Gojković, and several former and current City officials among which is also Igor Mirović who was the Director of the Institute for the City Development from 2004 to 2008, and today is a functionary of the Serbian Progressive Party. Dević blames the City officials because they first in the years 2005 and 2006 made the decision and concluded the contract with him on building a new intercity bus station in Novi Sad, and then they began to obstruct realization of the contract and deliberately impeded beginning of the bus station work. Because of such an attitude of the City, the courts in charge already made the judgement that the City of Novi Sad had to pay damage compensation of about 4 million Euros to ATP Vojvodina.

Dević also filed criminal charges against the current Mayor of the City of Novi Sad, Miloš Vučević, and his deputy Miroje Jovanović, because they had been putting pressure on judiciary and prosecution and they had also been preventing execution of the final court decision.



Foto: Dragana Gojčić / Beta

Under the Spotlight

Dević has forwarded the criminal charges filed so far against the City and Republic officials to European institutions. They are closely following work of domestic judiciary in the cases of 24 compromised privatizations, especially the case of ATP Vojvodina for which they have estimated that, unlike the other cases, the investor but not the state is the one who suffers damage.

if any investigations have been initiated or if they are currently in the process of solving. Even *Danas* didn't manage to get the information, although we have demanded that from the Prosecutor's Office a few times. One of the answers was that some other cases were registered under the numbers we gave them. Trying to learn something about destiny

of the charges, Anti-corruption Agency reached further than others. When that institution asked what was going on with the charges, they got the answer that they had been sent to the Prosecutor's Office in Novi Sad. That is where every trace of them disappears.

Yet, even the Agency was not more successful when in the be-

„The criminal charge was filed due to the established suspicion that, from the day of the office taking, the officials and responsible persons of the City of Novi Sad used to abuse their authority and mandate thus inflicting multi-million damage to the City of Novi Sad, ATP Vojvodina, company from Novi Sad, to Ilija Dević, the buyer and majority own-

Majority owner of ATP Vojvodina and his family members claim that they are exposed to constant pressure.

Threats and „Indecent“ Proposals

I have tried several times to solve the problem of ATP Vojvodine by some agreement, because the damage which will eventually have to be paid, either by judgement of our courts or the court in Strasbourg, is going to be extremely heavy burden for either Novi Sad or the state budget. I have been invited several times to talk to the persons from the Cabinet of Aleksandar Vučić, before and after he became the Prime Minister. However, there haven't been any constructive suggestions. One of these meetings was also attended by the Director of the Department for Fight against Money Laundering. I guess it should have frightened me. But, I earned my funds in this country, I was managing a company for thirty years and I did not

- One of semi-official proposals offered to Dević was to hand over ATP Vojvodina together with the facilities to the City and in return to get some lot belonging to the City Traffic Company
- Telephone calls, threats or „friendly“ advice and night visitors with „balaklava masks“ are part of the mechanism which should have made the owner give up the fight for protection of his own funds

bring my money from some island. Even when I invested, the money was not „taken out of a mattress“, but the money came from the loans I had been regularly repaying until the Government of Novi Sad prevented me from working - Ilija Dević says.

He also says that the Director of the Customs Administration was present at one of these meetings in the Cabinet and that was rather strange.

- I did not understand why

these persons were involved in the conversation, but during that meeting a possible solution offered for the problem was proposal of a non-governmental organization which thought that a just epilogue would be my handing over the built facilities and ATP Vojvodina to the City and in return to get a lot belonging to the City Traffic Company. I could not accept it as a serious offer - Dević says.

He also adds that eight years

lasting fight to preserve the business he has created and developed, has been accompanied by various kinds of pressure affecting even his family. Before any even a bit important court proceeding, there were frequent telephone calls in which they were threatened or „friendly“ warned to give up.

- In the beginning, they used to tell me that I was not capable of coping with that business, that somebody would not let



Foto: Stanislav Milojković

me do such an important business, that such an issue was intended for „bigger“ players. When the work group for 24 privatizations, there were some people who was formed, there were people who „were giving me friendly advice“ to leave the country because I would be arrested. But I did not inflict damage to my country so that I would have to run away. I have been fighting all the time to save my funds and work places I used to open - he says.

The culmination of pressure was, however, in the time when Dević was in detention. People wearing balaklava masks were very often walking around the family yard and that should have probably frightened his wife and daughters who lived there. The police were every time informed about „the visitors“, the patrols were coming and, in spite of the trails of the „visits“, it has not been found out who the visitors were and who the organizer was.