

Snežana Malović

Koordinator za borbu protiv korupcije
Ministarka pravde
Republika Srbija

Zoran Stanković

Ministar zdravlja
Republika Srbija

PREDMET: UPOZORENJE KOORDINATORKI
BORBE PROTIV KORUPCIJE, MINISTARKI
RAVDE I MINISTRU ZRAVLJA ZBOG
NEPOKRETANJA KRIVIČNOG POSTUPKA PO
SLUŽBENOJ DUŽNOSTI

29.decembar, 2011.

Poštovani,

Skrećemo Vam ponovo pažnju na uporno odbijanje pojedinaca u pravosuđu i Ministarstvu zdravlja da postupe u skladu sa zakonskim obavezama i preduzmu zakonske mere radi rešavanja afera korupcije u zdravstvu koje uznemiravaju širu javnost jer dovode do ugrožavanja života i zdravlja sve većeg broja bolesnika.

Stoga smo primorani da Vas ponovo podsetimo na sledeće afere za čije ste pravno razrešenje Vi nadležni i odgovorni:

1. Nezakonita trgovina listama čekanja u Institutu za onkologiju Vojvodine od 2009.god. gde Ministarstvo zdravlja kao i Više tužilaštvo u Novom Sadu poseduju sve potrebne dokaze i saznanja o teškom krivičnom delu protiv zdravlja ljudi radi protivzakonitog sticanja imovinske koristi čime je, u protekle tri godine, ugroženo pravo na blagovremeno lečenje obolelih od najtežih malignih obolenja ([link](#)); to je zbog nepostupanja i procesuiranja naloženog od strane Odbora za zdravlje i porodicu Skupštine Republike Srbije ([link](#)), kao i zbog utvrdjenih nepravilnosti u radu IOV u provedenom postupku od strane Ombudsmana Republike Srbije dodatno ugrozilo pravo na blagovremeno lečenje, a time i pravo na život vise hiljada bolesnika. ([link](#))

2. Slučaj službe „Hitne pomoći“ u Beogradu od 2006.god. ([link](#)) u kojoj je iz izveštaja JKP Pogrebne usluge, utvrđena komercijalna povezanost zaposlenih i pogrebnih preduzeća i

The
Honorable
Snezana Malovic
The Justice Minister
Republic of Serbia

The
Honorable
Zoran Stankovic,
The Minister of Health
Republic of Serbia

MATTER: WARNING BECAUSE OF INACTIVITY IN
FILING EX OFFICIO CRIMINAL CHARGES,
SERBIAN JUDICIARY PROTECTS THE
CORRUPTION IN HEALTH SYSTEM

29 December 2011

Dear Madame/Sir

We are bringing again to your attention the persistent refusal of the individuals within the Serbian judiciary and Ministry of Public Health to act in accordance with their statutory duties and take necessary measures to resolve the corruption scandals in public health care system which are upsetting the public at large and imperil the life and health of ever growing number of medical patients.

Hence, we are compelled to remind you again to following affairs that you are competent and responsible to solve in a legal manner:

1. Illegal trade in waiting lists at the Institute of Oncology of Vojvodina from 2009 where your Ministry and the District Attorney's Office in Novi Sad are in the possession of all material evidence and knowledge of serious crime against the public health for the purpose of obtaining illegal financial gain which had as a consequence in the past three years the violation of the right to timely medical treatment of the patients suffering from the most serious malignant diseases ([link](#)); due to passivity and omission to bring criminal charges against the perpetrators, as ordered by the Serbian Congressional Committee for Public Health and Family ([link](#)), and due to determined irregularities in the work of Institute of Oncology of Vojvodina in the proceedings conducted by the Serbian Ombudsman, which additionally endangered the right to timely medical treatment as well as the right to life of thousands of patients. ([link](#))

2. Emergency Squad Belgrade scandal from 2006 where from the report of the City Funeral Home a commercial link between the employees and private

gde uprkos iznetoj osnovanoj sumnji da reanimacije nisu rađene zbog provizije pogrebnika kao i prema službenoj dokumentaciji Ministarstva zdravlja ([link](#)), koja za navedena 53 slučaja sa smrtnim ishodom, konstatuje učinjene propuste i fatalne lekarske greške, Viši javni tužilac u Beogradu odbija da reaguje i po službenoj dužnosti pokrene krivični postupak ([link](#)).

3. U slučaju grubog kršenja zakona od strane uprave Zdravstvenog Centra Studenica u Kraljevu (po izveštaju RFZO [link](#)) gde su kupovani i neodgovarajući dijalizni rastvori, i na osnovanu sumnju po zvaničnom izveštaju Zavoda za javno zdravlje da je došlo do višestrukog porasta smrtnosti pacijenata na dijalizi u periodu 2010-2011.god. ([link](#)), pritom je ukazano u izveštaju inspekcije Ministarstva zdravlja iz juna 2011.god da su se u jednom periodu koristili štetni dijalizni rastvori koji kristalizuju ([link](#)). Uprkos osnovanim sumnjama na zloupotrebu službenog položaja i teško krivično delo ugrožavanja života i zdravlja bolesnika, ni nadležno Javno tužilaštvo, kao ni Ministarstvo zdravlja nisu preduzeli odgovarajuće zakonske mere protiv počinitelaca već su tu aferu zataškali, što takodje predstavlja krivično delo.

Navedeni primeri, izmedju mase drugih, pokazuju kako otvorenim izrugivanjem pravdi, pravosudni sistem predstavlja najjaču zaštitu korupciji uopšte, a u zdravstvu Srbije posebno.

Stoga zahtevamo da Vi kao koordinator za borbu protiv korupcije Vlade RS i ministarka pravde, i Vi kao ministar zdravlja, hitno preduzmete zakonske mere i radnje radi pokretanja krivičnog postupka za sva navedena krivična dela. U suprotnom, postoji neminovna potreba da se protiv Vas kao koordinatorke za borbu protiv korupcije i ministarke pravde, te i protiv Vas kao ministra zdravlja, podnese krivična prijava zbog počinjenog krivičnog dela prikrivanja počinitelaca tih krivičnih dela ili saučesništva u istima, jer ste vi najodgovornija lica u pravnom i zdravstvenom sistemu Republike Srbije.

Profesor dr Dragana Jovanović
Docent dr Borko Josifovski
Dr Draško Karađinović

Kopija dostavljena:
-Predsednik Republike Srbije
-Evropska komisija
-Evropski parlament
-Drugim zainteresovanim stranama

funeral companies was found out ([link](#)). There was a well-grounded suspicion that the reanimations were not performed because of the commissions promised by funeral parlors. This was also confirmed by official documentation of the Ministry of Health where 53 cases with lethal outcome were reported, pointing to omissions and fatal medical malpractice ([link](#))., Despite said, the Belgrade District Attorney refused to react and to file the official criminal charges ([link](#)).

3.The case of gross violation of law by the management of “Studenica “ medical center in the city of Kraljevo (according to report of the Government Health Insurance Fund [link](#)) who had been purchasing inadequate dialysis solutions and well grounded suspicion that according to Report of the Public Health Institute there was a multiple increase in death rate of dialysed patients in the period from 2010-2011 ([link](#)). On the same occasion, it was pointed out in the report of the Inspection of the Ministry of Health from June 2011 that in one time period a noxious dialysis solutions had been used that crystallize ([link](#)). Despite well founded suspicion of misfeasance of office and serious crime of endangering the life and health of medical patients, neither the competent District Attorney’s office, nor the Health Ministry of Serbia have taken any action to bring criminal charges against the perpetrators, but have covered up the affair, which in itself is a crime.

The examples given hereinabove, among many other, show how with open mocking of Justice, the Serbian judiciary represents the strongest protection of corruption in general and in Serbian health care system in particular.

Therefore, we demand from you as the Serbian Government coordinator in fight against corruption and Justice Minister at the same time, to take emergency measures and file criminal charges for all said criminal offences. Otherwise, there will be an inexorable need to file criminal charges against you as the coordinator in fight against corruption and the Justice Minister at the same time, and against the Health Minister due to committed crime of covering up the perpetrators of said criminal offences or due to complicity in said crimes, since the two of you are the most responsible persons in the Serbian legal system and public health care system.

Professor dr Dragana Jovanovic
Docent dr Borko Josifovski
Dr Drasko Karadjinovic

cc.:
President of the Republic of Serbia
European Commission
European Parliament
Other interested parties