



TO THE  
**DIRECTOR OF THE ANTI-CORRUPTION AGENCY OF THE REPUBLIC OF  
SERBIA (AGENCIJA ZA BORBU PROTIV KORUPCIJE)**  
**MR. DRAGAN SIKIMIC,**  
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BEOGRAD 11000  
SERBIA  
(office@acas.rs)

January 25<sup>th</sup>, 2019.

Your Excellency,

*MEDEL – Magistrats Européens Pour la Démocratie et les Libertés*, is a European Non-Governmental Organization that currently gathers 23 associations of Judges and Prosecutors coming from 16 different European Countries, representing more than 15.000 magistrates. Within the goals laid down in its statutes are the defense of the independence of the judiciary in the face of every other power, the promotion of the respect, in all circumstances, of the legal values specific to the Democratic State based on the Rule of Law, and the promotion of a judicial organization apt to guarantee a public service of justice responding to the principle of transparency.

MEDEL has observer status in the *Council of Europe* (actively participating in its organs like the CCJE and the CCPE) and is registered in the European Union Transparency Register.

It has come to the knowledge of MEDEL that professionals (associations and public) in Serbia are concerned regarding media reports according to which membership in a judiciary council could be seen as being in conflict of interests with membership in professional associations of judges and prosecutors (or membership in those professional association's managing bodies).

Those media reports are about alleged conflicts of interest of five members of the State Prosecutorial Council who are also members of the Association of Public Prosecutors and Deputy Public Prosecutors of Serbia (member of MEDEL), some of them also being members of the bodies of that same professional association.

Five of the members of the State Prosecutorial Council are Deputy Public Prosecutors: Goran Ilic, Radovan Lazic, Stanislav Dukic, Sandra Kulezic and Svetlana Nenadic. The



alleged conflict regards the decision making process in second instance, in a disciplinary proceeding of December last year.

According to the usual practice of MEDEL, **we kindly ask you to allow us to monitor the process with representatives from our association in every stage of your procedure, such as data/evidence collection, prospective hearings or any decision making process. We ask you to inform us about the model of monitoring in accordance with the law.**

Let me remind you that MEDEL has closely monitored the general re-election procedure of Judges and Prosecutors that occurred in Serbia almost ten years ago. Findings, opinions and suggestions which came out from this monitoring process were accepted and highly respected by European institutions, professionals and organizations.

We believe that the monitoring we now ask you to admit us to do would certainly improve the transparency of the whole process, thus giving a strong contribution not only for the position of the members of the State Prosecutorial Council, but also (and mainly) for the safeguard of freedom of association in the Republic of Serbia.

We would also like to point out that, having observer status in the *Council of Europe* and being a registered association near the European Union institutions, the increased transparency that the presence of MEDEL (as well as other possible outside institutions) could bring, will most certainly be regarded as highly positive, in the ongoing process of Serbian accession to the European Union.

I am looking forward to your reply.

Yours sincerely,

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(President of MEDEL)  
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