

In the Whistleblower Reports - the Entire Abuse Manual

The consequences faced by Serbian citizens who dare to fight against corruption are confirmed by the case of a woman employed as the head of accounting in a local institution, in the west of Serbia, whose tilting at windmills, due to the 11 filed criminal charges against the director of that institution, is still ongoing.

Of those 11, nine criminal charges were filed with the Higher Public Prosecutor's Office - Special Department for Suppression of Corruption for the same criminal offense - abuse of office. The applications could serve as a comprehensive and exhaustive guide to the misuse of public funds, as each of them contains a detailed description of several different ways of committing the crime of abuse of office.

Multiple payments of relatively small amounts from the account of the cultural institution, proved to be the longest method, through precisely specified agencies, in the name of the engagement of N.N. persons, so that, based on that, the director would indirectly pay the daily wages to the participants of the Mileševa Art Colony, avoiding paying taxes. In addition, the report was filed due to the suspicion that the "bypass" money was not actually paid to the artists, because they were paid later, from the cultural institution's account, when the artists left and the event was over. Namely, the applicant states that she, as the head of accounting, did not receive the specified money (in cash) for payment to the participants of the Colony, with their signature and accompanying documentation - an identity card, but the director distributed those funds without her knowledge and any documentation.

The report also mentions suspicions of per diem fraud - the director of the cultural institution regularly took daily allowances for business trips from the account 422111- "Per diem of business trips in the country" without justifying them in any way. In a small number of cases, she wrote reports from business trips, which is why there is a well-founded suspicion that she did not even go on many trips, but only used the funds. Especially since in one case she took three per diems for one meeting at the Ministry of Culture. That the abuse of public resources is possible even when activities are undertaken that are in the public interest, is confirmed by the criminal complaint that was filed due to the suspicion that the director implemented the procedure for the legalization of the facility by damaging the budget of the cultural institution.

In the criminal complaint, it was pointed out that despite the fact that the cultural institution had complete construction and technical documentation during the construction of the facility, which were deposited in the director's office, and which were used for years by the previous directors during the renovation of the facility, repairs of installations, etc., the facility was not legalized because one part of the foundation of the facility was sinking, which is why none of the engineers at the time were allowed to sign the occupancy permit. The director of the cultural institution first hired the former architect of the Institute for Urban Planning for the alleged first phase of legalization -

the creation of project documentation, even though it already existed. Then, in the following period, it announced a tender for the preparation of project documentation for the second phase of legalization, on the basis of which the agency from Jagodina awarded the contract, which was subsequently terminated for unknown reasons. Finally, the facility was legalized after the said work was performed by a company from Užice and the municipal authorities issued a Decision on Legalization, although the problems that were occurring at the facility were never resolved.

One of the criminal charges was filed due to the suspicion that there was abuse in connection with the entertainment expenses - that the services were always awarded to the same restaurants. One of the restaurants is owned by the son of a politician, a local official, who, as president of the local party committee, de facto decided on the appointment of the director of the cultural institution to that position.

According to the criminal complaint, the director was also unaware of the mechanism of abuse through "outsourcing". She spent huge funds by hiring third parties to create and collect texts for printing the monograph of the Mileševa Art Colony, as well as for its organization, even though the cultural institution has a permanent editor of the fine arts program who is a graduate sculptor and art historian. At the same time, on some accounts it is not written at all for which service some persons were hired.

The existence of a well-founded suspicion that the director of a cultural institution used public resources for private needs was the reason for filing another criminal complaint. In it, it was pointed out that the director signed a contract with "Telekom Srbija" and got herself an I-phone brand phone, even though she did not have any approval or decision from the board of the cultural institution for that. In addition, the report was filed due to the suspicion that during a private visit to Iran, the director used the services of Telekom Srbija, which she paid from the account of the cultural institution.

The criminal complaint was also filed due to the well-founded suspicion that the director of the cultural institution paid the costs of transportation that was not carried out. The costs are always paid to the same supplier who is also the son of an employee of the cultural institution.

In one criminal report, it was stated that there is a suspicion that the director of the cultural institution committed the most criminal acts by allegedly re-doing maintenance and furnishing works that had already been done before and thus finding alleged contractors with whom she entered into fictitious contracts and thus paying for alleged services and furnishing that were not performed or were only partially performed, e.g. renovation and adaptation of the small hall of the cultural institution.

Public procurement, as one of the most widespread forms of abuse, is the subject of yet another criminal report sent to the special department for the fight against corruption. According to her statements, the director of the cultural institution annually allocated millions of sums for press services, and the cultural institution does not have any record of when something is printed or how many were actually printed, for example, posters,

catalogs. Moreover, public procurement was not announced for these services, even though, according to the amounts spent, it became an obligation to do so.

Although numerous and explained in detail, the mentioned criminal charges are still without a concrete outcome. According to information received from the special anti-corruption department at the end of 2024, the prosecution sent a request to the Ministry of Internal Affairs - Anti-Corruption Department to collect the necessary information in order to examine the validity of the allegations in the submitted reports and decide whether there are grounds for initiating criminal proceedings.

In the meantime, at the beginning of March 2025, the police called the whistle-blower on the order of the Special Department for the Suppression of Corruption to give a statement, i.e. that they wanted to find out from her if there were any new facts.

A similar fate - without concrete results - is the criminal report filed due to the suspicion that the deputy mayor committed the criminal offense of abuse of office and the criminal offense of forgery of an official document by unauthorizedly signing the Conclusion giving consent to the cultural institution to amend the Rulebook on the systematization of workplaces with regard to the position of head of accounting, without the fact that the session of the Municipal Council was not scheduled or held, nor were its members aware of that conclusion.

However, there are also opposite examples - of quick action. It's just that it's about refusing to act on the complaint of the head of accounting. Namely, the complaint against the notification of the primary public prosecution that they did not find a basis for taking over the criminal prosecution ex officio of the director of the cultural institution because she attacked the applicant of the criminal report at the workplace was rejected by the higher public prosecution as unfounded. She received information about this through a request for access to information of public importance, even though the answer itself stated that the decision on rejection, together with the case files, was delivered to the basic public prosecutor's office so that the prosecutor's office could make further delivery to the complainant.

On the other hand, after returning from sick leave, the director, against whom the whistle-blowing was initiated, forbade the whistle-blower to return to the office. A newly employed person who received an increase in the coefficient due to increased work sits in it and performs her duties, while the whistleblower suffers empty desk mobbing, i.e. according to the contract and the decision, she was returned to her old position, but she does not work in her scope but in a remote office and does nothing but avoids the traps set for her by the director. In addition, following the report of the whistleblower, a work inspection was conducted by the director and did not find any irregularities because the whistleblower has a desk, a chair and a computer.

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