



UPIS
AGP

UDRUŽENJE PRIREĐIVAČA IGARA NA SREĆU CRNE GORE - NVO
ASSOCIATION OF GAMBLING PROVIDERS MONTENEGRO - NGO

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EVROPSKA UNIJA

Broj

82

DELEGACIJA EVROPSKE UNIJE U CRNOJ GORI

Podgorica

1. 7. 2014

20

god.

Ulica Vuka Karadžića br.12

g. Alberto Kamarata, Šef političkog odsjeka

Podgorica, 1 jul. 2014.

Referenca: Vaš dopis od 12. juna 2014.

Poštovani gospodine Kamarata,

Zahvaljujemo na Vašem dopisu od 12. juna 2014. godine i na vremenu koje ste izdvojili.

Navodite da ne pratite „individualne“ sudske slučajeve, te nas upućujete na domaće institucije.

Najprije, mi se jesmo obratili domaćim institucijama i to kako organima sve tri grane vlasti – zakonodavne, pravosudne i izvršne – tako i ombudsmanu. Problem je, međutim, što mi ne uspijevamo da istjeramo pravdu. Naša nevladina organizacija, Udruga priređivača igara na sreću – UPIS, nije se, dakle gospodine Kamarata, obratila Vama, odnosno Delegaciji Evropske unije u Crnoj Gori, ni zato što ne poznaje pravni sistem ni zato što eventualno traži da Delegacija ili Vi lično preuzmete ingerencije i prerogative crnogorskih institucija sve kada biste to i mogli.

Obratili smo se Delegaciji Evropske unije u Crnoj Gori i zato što su Udruga priređivača igara na sreću, pojedine članice Udruženja kao privredni subjekti, osnivači Udruženja, vlasnici tih privrednih subjekata i zaposleni u kontinuitetu u vremenskom periodu koji se mjeri godinama izloženi najprije ignorisanju i opstrukciji, a zatim i maltretiranju i šikaniranju i nasilju zasnovanom na zloupotrebi prava i vlasti od strane državnih institucija i pojedinaca u tim institucijama Crne Gore, odnosno zato što smo se već više puta obraćali i sudovima i Tužilaštvu i Ombudsmanu, zato što smo desetinama puta tražili i zahtijevali od nadležnih institucija da reaguju, zato što smo već podnosili žalbe, krivične prijave, tužbe, predstavke, prigovore, urgencije i zato što to nije urodilo nikakvim plodom. Obratili smo Vam se, dakle, ne zato što ne znamo da Vi nijeste ni sud ni Tužilaštvo, već zato što ne uspijevamo da pravnim sredstvima natjeramo pojedine institucije i pojedince u njima da rade posao za koji ih plaćaju poreski obveznici.

Obratili smo se Delegaciji Evropske unije u Crnoj Gori i zato što smo istovremeno predmet maltretiranja, šikaniranja i nasilja pojedinih medija i jedne nevladine organizacije koje finansira i podržava i Delegacija Evropske unije u Crnoj Gori.

Obratili smo se Delegaciji Evropske unije u Crnoj Gori zato što su naše predstavnike brutalno i protivzakonito izbacili prošle godine iz Parlamenta gdje su uredno pozvani i uredno registrovani kao učesnici u proceduri promjene zakona iz djelatnosti kojom se bavimo.

Obratili smo se Delegaciji Evropske unije u Crnoj Gori i zato što je jedan od urednika u mediju koji podržava Delegacija pokušao da nas reketira.

Obratili smo se Delegaciji Evropske unije u Crnoj Gori i zato što je predmet bezrazložnog prozivanja od strane grupacije medija koje Delegacija finansira ili podržava i jedno maloljetno dijete – ni krivo ni dužno – osim „krivice“ što je u krvnom srodstvu sa nekim od nas.

Obratili smo se Delegaciji Evropske unije u Crnoj Gori zato što su i najviši zvaničnici Evropske komisije i predstavnici Delegacije Evropske unije u Crnoj Gori u nebrojeno navrata ukazivali na to da u Crnoj Gori mora biti osigurana vladavina prava, a mi za eklatantniji slučaj bespravlja odnosno zloupotrebe prava od ovoga čija smo višegodišnja žrtva ne znamo.

Konačno, **obratili smo se Delegaciji Evropske unije u Crnoj Gori** i zato što smo imali u vidu Vaš posljednji javni nastup, 6. juna 2014. godine kada ste rekli: „Delegaciji Evropske unije svake godine javljaju građani Crne Gore nezadovoljni pravnom zaštitom, jer većina njih ne zna da postoji pravna pomoć“ kao i da „treba obezbijediti da se glas tih ljudi čuje i da svi pred zakonom budu jednaki“ (Dnevni list Pobjeda, 7.6.2014, strana 9).

Poštovani gospodine Kamarata,

Zašto smo se mi obratili Delegaciji Evropske unije u Crnoj Gori? Obratili smo se da, pošto duboko vjerujemo da je pravda na našoj strani, pokažemo da smo uporni i da nećemo odustati od traženja pravde. Krenuli smo od crnogorskih institucija. Nakon višegodišnje jalove borbe za pravdu obratili smo se Delegaciji Evropske unije i Misiji OEBS-a u Crnoj Gori. Ako ni tu ne naiđemo na razumijevanje krenućemo dalje – ka Briselu i Beču. Dakle, od Vas ne očekujemo ništa drugo do da ne zatvarate oči pred činjenicama i dokazima koje smo Vam dostavili, koje Vam dostavljamo i koji su objavljeni odnosno saopšteni javnosti na internet portalu Udruženja priređivača igara na sreću na adresi www.upisigre.me.

Ne tražimo ni da utičete na nekoga ni da vršite pritisak. Ne tražimo ništa više ni bilo šta drugo od onoga što Delegacija pruža svakome ko joj se obrati: analizu akata koje dostavljamo i formiranje vrijednosnog suda.

Mi, uprkos višegodišnjem ponižavajućem i protivzakonitom odnosu dijela vlasti i pojedinaca u institucijama vjerujemo u evropske vrijednosti i u to da je pravda dostižna.

Vjerujući da će ovaj naš dopis pomoći Vašem sagledavanju činjenica pozivamo Vas da nas primite ili posjetite kada god to Vama odgovara kako bismo ne samo razgovarali o navedenim eklatantnim slučajevima diskriminacije, šikaniranja, maltretiranja, zloupotrebe prava itd. od strane pojedinih korumpiranih državnih činovnika koji za svoje potrebe koriste pojedine medije i nevladine organizacije već kako bismo razgovarali i o mogućoj saradnji i uspostavljanju partnerskog odnosa u duhu evropskih vrijednosti i evropske politike.

S poštovanjem, **Marko Piletić**, predsjednik Udruženja

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Broj 82

Podgorica 1.7.2014.

Delegation of the European Union to Montenegro

Vuka Karadžića 12, Podgorica

Attn: **Alberto Cammarata**, Head of Political, European Integration and Trade Section

Ref: Your letter of 12 June 2014

Dear Mr Cammarata,

We would like to thank You for your kind letter of 12 June 2014, as well as for the time you dedicated to us.

You claim not to be following "individual judicial cases" directing us to our national institutions.

Firstly: we certainly had addressed our state institutions, both the bodies of all the three branches of power – legislative, judicial and executive – as well as the Ombudsman. However, the problem is that justice remains unattainable for us.

Our non-governmental organization, the Association of Gambling Providers – UPIS, did not, Mr Cammarata, address You, i.e. the Delegation of the European Union to Montenegro, because we are not familiar with our legal system and because we might have wanted the Delegation or You in person to take over the competences or prerogatives of institutions of Montenegro, even if You could have done so.

We did write to the Delegation of the European Union to Montenegro because the Association of Gambling Providers, its individual members as economic operators and founders of the Association, the owners of those economic operators and their employees, have been enduring, for years now, balking and obstruction followed by maltreatment, harassment and violence based on abuse of rights and power by some state institutions and individuals within those institutions of Montenegro; and because we had previously addressed the courts, the State Prosecutor and the Ombudsman; because we had already demanded them tens of times to react; because we had already filed complaints, brought criminal charges, initiated civil actions, submitted requests, objections, urged and because none of these has ever had any result. We, therefore, addressed You, not because we had not been aware that You are neither a court nor a Prosecutor, but because we cannot, by legal means, make certain institutions and individuals do the job they are paid by the tax payers to do.

We also addressed the Delegation of the European Union in Montenegro because we have been exposed to mistreatment, harassment and violence by some media and a non-government organization financed and supported by the Delegation of the European Union to Montenegro.

We addressed the Delegation of the European Union to Montenegro because last year our representatives were brutally and illegally expelled from the Parliament after being invited and duly registered as participants in a legislative procedure concerning the changes of the law governing our business activities.

We addressed the Delegation of the European Union to Montenegro because one of the editors in the media supported by the Delegation had attempted to extort money from us.

We addressed the Delegation of the European Union to Montenegro because a subject of causeless critics by a group of media financed or supported by the Delegation was a minor – an innocent child, unless his guilt consists in his family ties with some of us.

We addressed the Delegation of the European Union to Montenegro because the highest representatives of the European Commission and the Delegation of the European Union to Montenegro had repeatedly pointed to the necessity that the rule of law is guaranteed in Montenegro, while we are not aware of a more blatant case of anarchy and abuse of power than the one we have been enduring for many years now.

Finally, we addressed the Delegation of the European Union to Montenegro because we were bearing in mind Your latest public appearance of 6 June 2014 when You said: "The Delegation of the European Union is approached every year by citizens of Montenegro dissatisfied with legal protection, because most of them are not aware that there is legal aid", as well as that "it must be ensured that the voice of these people is heard, and that everyone is equal before the law" (Daily "Pobjeda", 7 June 2014, page 9).

Dear Mr Cammarata,

Why we addressed the Delegation of the European Union to Montenegro? We did it because, since we deeply believe that justice is on our side, we want to demonstrate persistence, and that we will not give up seeking for justice. We started with the institutions of Montenegro. After several years of futile fight for justice we addressed the Delegation of the European Union and the OSCE Mission to Montenegro. If we fail in finding understanding here, we will go further on – to Brussels and Vienna.

Therefore, we do not expect from You anything but to keep your eyes open in front of the facts and evidence we submitted to You, we keep submitting to You, and we have made public at the Internet portal of the Association of Gambling Providers at the address www.upisigre.me.

We expect You neither to influence anyone, nor to make pressure on any person. We do not ask anything that the Delegation has not been providing for everybody who has been addressing it: an analysis of documents submitted and an opinion.

We, in spite of all the years of humiliating and illegal conduct of the part of the state institutions and individuals in these institutions, still believe in European values as well as that the justice is reachable.

Believing that this letter would help You get a better insight of the facts, we are asking You to receive us, or visit us whenever it suits You, so that we could not only talk about the abovementioned obvious cases of discrimination, harassment, mistreatment, abuse of power, etc., by some corrupted state employees used by some media and a non-governmental organization for their own agenda, but also to discuss a possibility of our cooperation and partnership in the spirit of European values and policies.

Sincerely,

Marko Piletić, chairman of the Association

