

**EXCLUSIVE: Correspondence between the director of NGO HRA Tea Gorjanc-Prelevic and Brussels official Sonja Diez**

**How Tea and Sonja are "tailoring" Montenegrin judiciary**

**- The correspondence between Tea Gorjanc-Prelevic and Sonja Diez, which may be easily called an international scandal, opens up many questions for domestic institutions and for the European Commission, which cannot remain mute and our newspaper will endure in obtaining answers**

"Dear Sonja, let this remain between us, because I have to protect my sources..."

"Dear Tea, I am sending this only for your eyes, I expect Luca will be on our and not their side..."

At first, this seems like a normal correspondence between two friends gossiping and thinking of some small evil act [*or malice*] with a common friend.

However, if we know that this correspondence is between Tea Gorjanc Prelevic, director of NGO HRA, and Sonja Diez from the DG NEAR of the European Commission, that the third person who is the motive for this correspondence is the President of the Administrative Court of MNE, Branka Lakocevic, that the common "friend" is Luca Perilli, expert of the EC who participated in drafting a set of MNE laws in the area of judiciary, then this whole thing acquires the dimension of an international scandal.

**Tea's instructions to the EC officer**

Dnevne novine had insight into this correspondence. The e-mail was apparently mistakenly forwarded to a third address, and then the original in English and the translation of the correspondence was anonymously delivered to us. The correspondence reveals how HRA, unfortunately via one part of the Brussels administration, is attempting to settle its accounts with those whom they disagree with, is even providing instructions to Sonja Diez about what to ask of MNE institutions, which she – as explicitly noted in the e-mail, does indeed.

So, Ms Diez writes to "dear Tea" that she requested from MNE authorities to explain the legal basis for the appointment of Branka Lakocevic as the president of the Administrative Court and for granting the Judicial Council a discretionary right to appoint other candidates, and not those which obtained the best results. Then she adds that this is only for "Tea's eyes".

Tea then gives further instructions to "dear Sonja" about what to ask of MNE institutions, noting that it should "remain between us as I have to protect my sources".

"I heard that everyone knows who will be the next two judges in the Administrative Court, even before the vacancy was published. I heard, even before this summer, that a girl from the Ministry of Justice – Natasa Radonjic – will become a judge there, that this is the deal..." writes Tea Gorjanc Prelevic to Sonja Diez.

Sonja then quotes an article from the Constitution of MNE, related to the competences of the Judicial Council, which – so it seems – is not to the liking of Tea, so she comments:

“True, but shame on them for not making such a moral decision to obey the evaluation they themselves did – although those are also not based on any indicators and are in themselves arbitrary. They cannot even agree on obeying them. Judicial Council is a shame.”

Sonja replies to that “it will be necessary to insist on the secondary legislation on appointment and promotion of judges that the Judicial Council will be obliged to follow the ranking of candidates...”

### **Convince Luca to switch to “our side”**

Then comes the best part which reads: “I hope that Luca Perilli will be on our side, not theirs. As you know, I am not at all happy with the laws he advised on. I am sorry to be so blunt, but what we are combatting here are the ways of a private state and private judiciary operated by the head of the Supreme Court. Whoever thinks otherwise is naïve. The President of the Judicial Council was the General Secretary of DPS and two years ago still reported on internet as the Head of DPS commission for the rule of law...”

That is, according to a anonymous delivery to Dnevne novine, the end of the correspondence between the director of NGO HRA and an officer of the Brussels administration, Sonja Diez, who was, together with the aforementioned Luca Perilli, a member of the European Commission team who visited the Judicial Council in March this year.

The correspondence which may be easily called an international scandal, opens up many questions both for the domestic institutions and the European Commission, which cannot remain unanswered.

### **Who are those on “our” side and who are those on “their” side?**

In communication between Tea and Sonja, terms such as “us” and “them” are used. Who are “us” and who are “them”? Did the EC, when writing the Progress Report, value more the opinion of “ours” or “theirs”? How is it possible at all that EC, with the assistance of some NGOs, deals with the appointment of a president of one court in MNE? Based on what can someone say that the Judicial Council is a shame? How will Sonja, Tea and “ours”, i.e. “theirs”, try to convince Luca Perilli to be on their side? How does one suggest to EC to fight against the ways of a private state and private judiciary?” Who leads this, who are the contacts, who are the interlocutors and associates in this alleged fight?

Dnevne novine will, after publishing this scandalous correspondence, seek answers to all these questions from the European Commission, EU Delegation to Montenegro, Ministry of Justice, President of the Supreme Court of MNE and president of the Judicial Council of MNE, in order to inform MNE public about who are “us” and who are “them” and which interests connect “dear” Tea and Sonja.

We will demand that Luca Perilli go public, who participated in the drafting of the Law on Judicial Council, Law on Courts and Law on State Prosecution, as an expert of the European Commission. These laws received high scores from the European Commission.