

## **Criminals Cannot Continue to Walk Free**

“Karaj Kamel bin Ali’s escape is an outrage that again shows the serious systemic flaws in the penal systems in BiH,” Acting High Representative Raffi Gregorian said today.

“Problems with the penal systems are manifold and well known, and Kamel bin Ali’s escape is just the latest in a long litany of problems that the authorities, and FBiH Minister of Justice Felix Vidovic, have failed to address over a period of several years,” Gregorian said.

The problem of prison security exists in both BiH entities. Since the escape of Radovan Stankovic from Foca Prison, the international community has been pushing for an overhaul of the laws and regulations that govern the BiH penal systems. The relevant Minister is responsible for drafting amended legislation and steering it through the legislative process. As the Karaj Kamel bin Ali case shows, the FBiH authorities have failed to address long-standing problems. This case highlights systemic failures that should have been corrected long ago:

- Home leave should not be regarded as a right but as a privilege, and one that can only be granted by competent authorities. Karaj Kamel bin Ali was designated a threat to national security and convicted of violent crimes. If there was no way under the law that home leave could be denied, then there should be a change to the law.
- There must be clear and more direct lines of communication between prison authorities, the judiciary, law enforcement agencies and competent Ministries. In this case, the FBiH Ministry of Justice was timely warned by BiH security agencies that there was a credible threat that Karaj Kamel bin Ali would flee, yet the Zenica Prison authorities received this information from the FBiH Justice Ministry too late to prevent bin Ali’s release. In other European countries such an oversight would force the Minister responsible to resign.
- Violent and persistent criminals represent a threat to society, yet this case shows that the penal system in BiH does not differentiate between these kinds of dangerous prisoners and others. There is a clear need to protect society from such repeat offenders. BiH’s penal systems must start to differentiate between violent criminals and others.

“The extent of this problem cannot be underestimated,” Acting High Representative Gregorian said today.

“According to the FBiH Justice Ministry’s own figures on the territory of the FBiH there are 1,203 convicted criminals with a final and binding guilty verdict who are currently walking free instead of serving their sentence. In Sarajevo alone this figure is as high as 400 criminals who will wait up to four years before starting to serve their sentence. And risk of flight is a known problem, with nearly 300 convicted offenders sheltering in neighbouring countries, unable to be extradited.”