

# Banja Luka has no answer to Stankovic escape



Radovan Stankovic is a convicted rapist and torturer. He has expressed no remorse for his crimes, and his escape from prison is proof, if it were needed, that he does not recognise the evil of his actions or the justice of his punishment. Instead he has sent mocking and threatening letters to judicial officials here in BiH.

Fifteen months after Radovan Stankovic escaped from an RS prison, senior RS leaders have publicly proclaimed—in response to private correspondence—that no one is responsible, no one is accountable, and that no action is necessary to find a felon who still poses a danger to everyone around him.

In recent public statements RS President Kuzmanovic, RS Prime Minister Dodik and RS Justice Minister Selman did not undertake to recapture Stankovic or to hold accountable those responsible for his escape; instead they tried to obscure the fact that all those connected with the escape are all still working in Foca prison by claiming that the existence of the RS was being questioned. If the RS government does not condone Stankovic's crimes, it should have no dilemma in working seriously towards his return to prison and holding accountable those responsible for his embarrassing escape.

The Stankovic case was the first ICTY case to be transferred from The Hague to Bosnia and Herzegovina as part of the ICTY completion strategy. As such, it was a mark of confidence in the judicial system of BiH. Unfortunately, his escape from the Foca prison highlighted several shortcomings in the entity penal systems.

This is not just an RS issue. In July 2007, the HR enacted amendments to the BiH *Law on the Execution of Criminal Sanctions* to ensure that prisoners convicted under State law who are serving sentences in entity prisons face an appropriately tougher regime. The High Representative deliberately did not enact amendments to entity-level legislation to give the entities the chance to demonstrate their commitment in this area. To date the FBiH has not amended the relevant provisions in its laws, which has allowed convicted war criminals incarcerated in Federation prisons to illegally enjoy unsupervised furloughs, a subject about which the PDHR has written to the Federation Minister of Justice on more than one occasion.

Despite all their feigned outrage, it is still incumbent on RS authorities to counter any notion of collective responsibility by ensuring that Radovan Stankovic and other individuals convicted for war crimes serve their full prison terms and address the systemic problems that still underlie his escape.