

OHR's Statement at the International Agencies' Joint Press Conference in Mostar

Pardons Directly Affect the Interests of BiH Citizens

In a letter yesterday to the Federation President Niko Lozancic the OHR's Principle Deputy High Representative, Larry Butler, expressed the OHR concerns over the additional documentation OHR has received concerning the grounds on which Mr Lozancic granted a Pardon to his former party colleague Miroslav Prce.

The new documentation raises new concerns – not just for the International Community, but for the people of Bosnia and Herzegovina, whose rights are directly affected by this and other Pardons granted to politicians found guilty of abusing public office.

As you know, the presiding judge in the Prce case was against granting a pardon in this case. It now emerges that the Federation Justice Minister also recommended that the Prce pardon not be granted.

Mr Lozancic went ahead and granted one anyway.

He did so on the basis of medical certificates which did not bear any stamp or signature and which had not been appropriately verified. The documents supported Mr Prce's claim that he is suffering from ill health. Clearly no one hopes that Mr Prce is in anything but the best of health – but if the decision to grant a Pardon relies only on the health problems outlined in these unauthenticated medical documents, it is fair to ask whether the common complaint of back pain justifies overturning a guilty verdict for a serious crime. Mr Prce's back pain has released him from the burden of serving a sentence for stealing millions of KM of public money.

Particularly at a time when BiH is battling the deep-seated corruption that favours a privileged few and ruins the prospects of the majority,

the Prce Pardon exposes basic flaws in the whole system of Presidential Pardons.

It highlights the urgent need to enact the new BiH Law on Pardons which has now been drafted and which will make it impossible to grant Pardons of the type granted to Miroslav Prce. It will oblige State and Entity leaders to follow strict procedures and guidelines and it will enable full public scrutiny of Pardons.

The new legislation must be considered by the Council of Ministers without delay. The parliamentary timetable would allow this Law on Pardons to be enacted and in force by mid October.

The High Representative will be considering this issue carefully over the next few days, before deciding which specific measures need to be taken.