

Date: 13.6.2017.

Number: 06-01/585

To all media – delivery of

The BiH judiciary again proved it can be worse

The judiciary in BiH has been constantly declining in regard to the efficiency of corruption prosecution for 8 years now, which is seen in the decreased number of reports, initiated investigations, indictments and convictions for corruption offenses. Almost two-thirds of court decisions refer to the termination of proceedings, and the Court of BiH has delivered only 8 prison sentences in the last 2 years

Sarajevo 13th June 2017 – Findings of the Monitoring corruption processing before courts and prosecutor's offices in BiH, presented by Transparency International in Bosnia and Herzegovina (TI BiH), show devastating results of the judiciary in 2015 and 2016, and the constant decline in efficiency in the last 8 years. Negative trend is seen in the decrease of the number of reports, initiated investigations, indictments and convictions for corruption offenses.

When it comes to the number of reports for corruption offenses, 2015 and 2016 proved to be the worst in the last 5 years. The prosecutor's offices in BiH show constant trend of reducing the number of investigations related to corruption offenses. Thus, 616 investigations were initiated in 2016, and 634 in 2015, which, even in total for both years, is less than in 2012. It is illustrative that there are prosecutor's offices such as, for example, Cantonal Prosecutor's Office in Gorazde, which had no single investigation regarding the corruption offenses during those two past years.

Number of indictments for corruption has also been decreasing, and in 2016 there were 193 indictments, which is the least in the last 5 years, and 20% less than in 2015. Here we can also find examples, such as District Prosecutor's Office Trebinje and Special Department of the Prosecutor's Office of RS, which did not file any indictments related to corruption in 2016.

Still, the lack of results is mostly visible in cross-section of court decisions, where most of them – almost two-thirds – refer to the termination of proceeding. The total number of judgments contains only 30% of convictions, in 2015 there were 89 convictions issued, while in 2016 there were 148 of them. Besides, if we take the imposed sentences into consideration, we can see that 70% of them are conditional sentences.

The penal policy is too mild, and therefore the prison sentences are imposed very rarely – in 2015 there were only 25 of them imposed, and in 2016 total of 39. For the most serious corruption offenses, acted upon by the Prosecutor's Office and Court of BiH, there were only 8 prison sentences imposed in the last two years, while on the other hand, 36 decisions on termination of proceeding were issued.

Information obtained by TI BiH confirm the catastrophic situation inside the judiciary and its complete unwillingness or inability to deal with the growing problem of corruption in BiH. On the other side, the public is facing a high number of corruption affairs within the judiciary and the fact that the key people of judiciary are currently under the investigation for corruption, which additionally undermines the hope that the general results of justice system will improve soon.

TI BiH will submit the findings of the Monitoring to the Parliamentary Assembly of BiH prior to the scheduled session of the House of Representatives which will be the opportunity to discuss the results of the judiciary in anti-corruption fight, but it reminds that the BiH judiciary, in addition to the discussions at

Udruženje za borbu protiv korupcije Transparency International u BiH
Reg. No. UP08-07-1-616/11, Ministarstvo pravde BiH, Sarajevo

Sjedište: Gajeva 2, 78000 Banja Luka, Tel/Fax +387 51 216 369, 216 928, 224 521, 224 520
Poslovnica: Mula Mustafe Bašeskije 9/1, 71000 Sarajevo, Tel +387 33 220 049, Fax +387 33 220 047
E-mail: info@ti-bih.org
Web: www.ti-bih.org



the sessions, also needs systemic solutions that primarily require elimination of the prevailing political influence on its work.

Udruženje za borbu protiv korupcije Transparency International u BiH
Reg. No. UP08-07-1-616/11, Ministarstvo pravde BiH, Sarajevo

Sjedište: Gajeva 2, 78000 Banja Luka, Tel/Fax +387 51 216 369, 216 928, 224 521, 224 520
Poslovnica: Mula Mustafe Bašeskije 9/1, 71000 Sarajevo, Tel +387 33 220 049, Fax +387 33 220 047
E-mail: info@ti-bih.org
Web: www.ti-bih.org