



Weekly Briefing

Bosnia-Herzegovina social briefing:
Killers on Sarajevo Roads: Streets of Dangerous Living
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Killers on Sarajevo Roads: Streets of Dangerous Living

Summary

The traffic accident in which the son of the famous BiH director was seriously injured bring back focus on the problem of the urban savagery of the transitional false elite on the streets of Sarajevo. This accident, unlike some previous ones, was not fatal, but once again showed the weaknesses of the sluggish and inefficient judicial-police apparatus. Accidents due to unadjusted speed in the center of Sarajevo cause short-term public anger, but there are no solutions that would lead to the lifelong deprivation of the right to drive of those who frequently and grossly violate traffic rules. However, it can be expected that the issue of public safety will be one of the issues that will mark the upcoming election campaign in Sarajevo Canton.

Introduction

On Friday evening at around nine o'clock, on the eleventh day of February, news portals published another piece of news in a sea of similar ones in recent years concerning the streets of Sarajevo. A traffic accident occurred in one of the larger streets in the city center. The driver of the expensive car, according to the first unofficial information, was driving at an unadjusted speed and hit a pedestrian, a minor teenager¹. In recent years, the inhabitants of the capital of Bosnia and Herzegovina have almost get used to such occasional news. Sarajevo's bitterness seems to have a shelf life. Daily routine and other events push these problems into the background.

Strong symbolism

Nevertheless, this case is filled with symbolism to the extent that it can be included in textbooks about today's Sarajevo. It turns out that the boy is the underage son of Danis Tanović. Tanović is a celebrated BiH film artist, director of "No Man's Land", movie which won the Oscar for Best Foreign Language Film in 2002. Tanović moved from Paris to Sarajevo with his large family more than a decade ago. In those years, with a circle of like-minded people, he founded "Our Party", (*Naša stranka*, acronym NS) a political party of liberal-social provenance

¹ Sarajevo: Porsche driver hits boy on Drvenija, police block street. <https://www.klix.ba/vijesti/crna-hronika/sarajevo-vozac-porschea-udario-djecaka-na-drveniji-policija-blokirala-ulicu/220211146>

with which he started a radical struggle against the ethno-national parties in power. Tanović soon withdrew from active politics, explaining the move by his desire to focus on a professional career. Tanović remained relatively present on social networks, where he sometimes commented on socio-political events.

On the other hand, the driver who hit Tanovic's son is also a "public figure". Namely, Benjamin Spahović, as the culprit's name is, was a participant in the reality show "Couples". Also, the media reported on the police chase that was organized for him in 2019 after the armed robbery in the suburbs of Sarajevo. Spahović was released from prison a year ago. To make things worse, the Ministry of Interior Affairs of Canton Sarajevo (MUP KS) said Spahović has a 4,920 KM debt due to unpaid traffic penalties. He committed 72 offenses from 2015 to 2022, excluding 2019 and 2020, when he was in prison for the aforementioned robbery. At the time of the accident, he drove more than 20 kilometers above the speed limit².

The indignant public in Sarajevo, but also in the whole of BiH, followed the development of younger Tanović condition in real time. His father had been sharing news on social networks and was published by the media. Finally, after eight days, Tanović junior woke up from a coma, so this accident, fortunately, did not have a fatal epilogue³.

However, such accidents are no exception on the streets of Sarajevo. Fatal traffic accidents, as well as other crimes on the streets of Sarajevo, have repeatedly triggered civil protests. The authorities in the Sarajevo Canton were called to account for them, and the resignations of those in charge were often demanded. Citizens protested the poor security situation in the BiH capital, but also inadequate responses from police, prosecutors and the judiciary in general.

Back in 2014, a case occurred in one of the four Sarajevo city municipalities that has not yet received a final court epilogue. Hava Dovadžija Šljivić, a 26-year-old mother of two, was cut down at the pedestrian crossing by Golf 6 driver Semir Rastoder. In a place where the speed limit is 60 kilometers per hour, Rastoder drove 103 kilometers per hour. In 2015, the Sarajevo Cantonal Court sentenced Rastoder to 5.5 years in prison and a 3-years ban on driving, but in 2019 the Supreme Court of the Federation of BiH overturned the verdict "due to a violation of criminal procedure" and returned the case to the beginning. Meanwhile, Rastoder did not spend

² Who is Benjamin Spahović who hit a teenager with a Porsche last night. <https://avaz.ba/vijesti/crna-hronika/716876/ko-je-benjamin-spahovic-koji-je-sinoc-porscheom-udario-tinejdzera>

³ Danis Tanović: Orhan opened his eyes. <https://avaz.ba/vijesti/bih/718724/danis-tanovic-orhan-je-otvorio-oci>

a single day behind bars, and civic pressure through protests by citizens and petitions did not bear fruit⁴.

A year after this case, in 2015, in the very center of Sarajevo, across the building of the Presidency of BiH, 20-year-old Kerim Mudželet, moving at high speed at almost midnight, lost control of his car and crashed into a tram station. Twenty-six-year-old Serbian citizen Jelena Opričić and her friend, thirty-one-year-old German Jorg Eistfeld Reschke, were waiting for public transport at that station. Jelena was killed and Jorg was seriously injured. In 2016, the Cantonal Court in Sarajevo sentenced Mudželet to eight years in prison and 3-years driving ban. Two years later, the Court issued a final decision reducing the sentence to seven years in prison. As this final verdict was not passed within a period of one year from the first instance, Mudželet welcomed from the to freedom, not in jail⁵.

Selma Agić and Edita Malkoč were students of psychology at the Faculty of Philosophy in Sarajevo. On October 10, 2016, at a pedestrian crossing not far from their faculty building, Sanjin Sefić ran into them at a speed of 105 kilometers per hour. Sefić drove his father's Golf 6 and pass through the red light, and after the accident he fled the scene. Selma died at the scene of the accident and Edita died later at the Clinic of Emergency Medicine of the Clinical Center of the University of Sarajevo. The building of the Faculty of Philosophy is located nearby buildings of the Council of Ministers of BiH and the Parliamentary Assembly of BiH, on the main road through Sarajevo. Agić took advantage of the slow reaction of the police and fled the country. He was arrested two days later in Novi Sad, Republic of Serbia, and on January 9, 2017, he was extradited to BiH. Under public pressure, the commissioner of the Ministry of the Interior of the Sarajevo Canton (MUP KS), Vahid Ćosić, resigned, and a monument to the murdered students was erected in the yard of the Faculty. In 2018, Sanjin Sefić was found guilty in the first instance of a felony against public traffic safety and failing to provide assistance to a person injured in a traffic accident. He had been sentenced to 14 years and six months, sentence which Supreme Court of the Federation of BiH abolished. In the repeated procedure, Sefić received 17 and a half years in prison⁶.

⁴ Seven years after the death of Have Šljivić-Dovadžija, the trial of the accused is still ongoing.

<https://akos.ba/sedam-godina-od-pogibije-have-sljivic-dovadzija-sudenje-optuzenom-jos-uvijek-traje/>

⁵ Kerim Mudželet was sentenced to 7 years in prison, the father of the victim Jelena got sick in the courtroom.

<https://radiosarajevo.ba/vijesti/bosna-i-hercegovina/kerim-mudzelet-osuden-na-7-godina-zatvora-ocu-stradale-jelene-pozlilo-u-sudnici/319156>

⁶ Sanjin Sefić got 17 and a half years in prison for killing Selma Agić and Edita Malkoč.

<https://avaz.ba/vijesti/crna-hronika/555766/sanjinu-seficu-17-i-po-godina-zatvora-jer-je-vozilom-usmrtio-selmu-agic-i-editu-malkoc>

Experts offer solutions

Semir Šut, former Commissioner of the Ministry of the Interior of the Zenica-Doboj Canton (ZDK), wrote a longer status on social networks, which was published by few media. This expert critically reviewed the practice of authorized bodies due to which socially dangerous individuals who frequently repeat offenses (such as the example from the beginning of the text) remain at large and participate in traffic. He detected the causes of such traffic accidents, which are basically negligence, arrogance and bullying on the streets, lack of traffic culture, state of mind, society's attitude towards such phenomena, shamefully low penalties for some offenses ... he stressed that the overall development of democracy and the stability of the community's legal system should be taken into account. As part of the solution, Šut proposed the permanent confiscation of vehicles for frequent and serious violators of the law. The legal basis is in the Law on Misdemeanors of the Federation of BiH (FBiH) and the Law on Fundamentals of Traffic Safety on the Roads of BiH. The FBiH Law on Misdemeanors provides for the possibility of deprivation of liberty as security for the payment of a fine, but it has not been implemented in practice so far⁷.

Conclusion

It sounds almost unreal how cheap life can be on the streets of the capital of Bosnia and Herzegovina. Here we mention just a few examples that have angered the public and produced short-term effects such as the removal of some in positions of responsibility. The frustrations have remained and continue, both due to the sluggishness of the judiciary, which is reflected in unjustifiably long processes and a mild policy of sanctions, and due to the lack of systemic solutions.

The post-war transition has led to a disruption of the value system which ultimately results in corruption. Also, the transition has produced a privileged class of the wealthier who feel that laws and rules do not apply to them. Giving bribes to traffickers is part of everyday "culture" both in Sarajevo and throughout BiH. The transitional elite, equipped with expensive cars, finds other loopholes in the laws to go unpunished. General legal uncertainty contributes to the perception that everything can be resolved outside the law and rules. Experts like Semir Šut who offer concrete solutions are the lone voices of the professional public. However, the general

⁷ Semir Šut, former Commissioner of the Ministry of the Interior of the ZDK: Prayer for Orhan Tanović or a call to action from all authorities. <https://avaz.ba/vijesti/bih/718384/semir-sut-bivsi-komesar-mup-a-zdk-molitva-za-orhana-tanovica-ili-poziv-na-djelovanje-svih-nadleznih>

issue of security in Sarajevo Canton, which includes the rage of drivers on the streets of Sarajevo, will be one of the issues that could mark the political debate this election year.