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DECREE
ON PROMULGATION OF AMNESTY LAW

Amnesty Law is hereby promulgated as endorsed by the Federal Assembly at the sessions of the Chamber of Citizens held 4 June 2002 and the Chamber of Republics held of 2 July 2002.

PR no. 160
2 July 2002
Belgrade

President
Federal Republic of Yugoslavia
Dr **Vojislav Kostunica** (*manu propria*)

AMNESTY LAW

Article 1

The amnesty is granted to persons – Yugoslav citizens who committed or are reasonably suspected of having committed a criminal act of terrorism pursuant to Article 125 and the criminal act of association for hostile activities pursuant to Article 136 as stipulated in the Criminal Code of the Federal Republic of Yugoslavia ("Official Gazette of SFRY": nos. 44/76, 36/77, 34/84, 37/84, 74/87, 57/89, 3/90, 38/90, 45/90, 54/90 and the "Official Gazette of FRY" nos. 35/92, 16/93, 37/93, 24/94 and 61/2001) in the territory of municipalities Presevo, Medvedja and Bujanovac, in the period from 1 January 1999 to 31 May 2001.

The amnesty as stated in paragraph 1 hereof also refers to the persons – Yugoslav citizens who committed or are reasonably suspected of having committed a criminal act of terrorism as stated in Article 125 in relation to Article 139 items 1 and 3 and the criminal act of association for hostile activities pursuant to Article 136 in relation to Article 139 paras 1 and 3 of the Criminal Code of the Federal Republic of Yugoslavia.

The amnesty from paras 1 and 2 hereof entails acquittal from criminal persecution and execution of sentence.

Article 2

If the criminal procedure has not been initiated against persons as set out in Article 1 hereof, it shall not be initiated at all and in case of an ongoing criminal procedure it shall be suspended.

If the person from Article 1 hereof was sentenced to imprisonment in the final instance he shall be amnestied from serving this sentence on the whole or in the part that has not been implemented.

Article 3

The amnesty does not affect any rights of third persons based on the sentence.

Article 4

The decision on amnesty shall be passed by the competent first instance court *ex officio* for the person against whom the criminal procedure is ongoing or has been completed in the final instance.

Article 5

If the person from Article 1 to whom the amnesty refers, is in detention the competent first instance court shall pass a decision of cancellation of detention.

The decision on amnesty from further serving of the sentence shall be passed by the first instance court of general competence in the area where the prison is located for the person from Article 1 who is serving a sentence of imprisonment, while for the persons serving a sentence in a military prison this decision shall be made by the competent military first instance court.

The decision from paras 1 and 2 hereof shall be passed *ex officio* within three days from the date of coming into effect of this Law.

Article 6

The decision from Articles 4 and 5 hereof may be passed at the request of the charged or convicted person or by a person who may file an appeal on his behalf.

Article 7

The decision on application of the amnesty is subject to an appeal made by the prosecutor, the accused and his defendant, the convicted person and the person authorised to file an appeal on behalf of the accused who had submitted a request.

The appeal from para 1 hereof does not stay the execution of the decision.

Article 8

If not otherwise provided for by this Law, the procedure for application of amnesty under this Law shall be governed by the regulations of the Law on Criminal Proceedings.

Article 9

This Law shall come into effect on the day following the date of its publication in the "Official Gazette of FRY"