

Pursuant to Article 75 paragraphs 1 and 2 of the Constitution of the Republic of Macedonia, the President of the Republic of Macedonia and the President of the Assembly of the Republic of Macedonia, issue the:

**DECREE
FOR PROCLAIMING THE LAW ON AMNESTY OF CITIZENS OF THE REPUBLIC OF
MACEDONIA WHO DID NOT COMPLETE THEIR MILITARY OBLIGATION**

The Law on Amnesty of citizens of the Republic of Macedonia who did not completed their military obligation

which the Assembly of the Republic of Macedonia adopted at its session held on 18th July, 2003 is hereby proclaimed.

No. 07-3691/1
18th July 2003
Skopje

President of
the Republic of Macedonia
Boris Trajkovski

Vice- President of the
Assembly of the Republic of
Macedonia
Liljana Popovska

**LAW ON AMNESTY OF CITIZENS OF THE REPUBLIC OF MACEDONIA WHO DID NOT
COMPLETE THEIR MILITARY OBLIGATION**

Article 1

This law exempts from prosecution, discontinues the criminal proceedings and fully exempts from execution of the sentence to imprisonment (hereinafter: amnesty), citizens of the Republic of Macedonia, who are above 30 years of age (hereinafter: persons), for whom there is a well founded suspicion that until the day when this law entered in the force have committed criminal acts pursuant to Article 214-Not-responding to an invitation and evading the military service and 217-Arbitrary departure and flight from the armed forces according to the Criminal Code (Official Gazette of the SFRY number 44/76, 36/77, 56/77, 34/84, 37/84, 74/84, 57/89, 3/90, 38/90 and 45/90 and Official Gazette of the Republic of Macedonia number 25/92 and 32/93) and pursuant to Article 341-Not-responding to an invitation and evading the military service and 344-Arbitrary departure and flight from the armed forces according to the Criminal Code (Official Gazette of the Republic of Macedonia number 37/96, 80/99 and 43/03).

Article 2

The persons who at the day when this law entered in the force are between 27 and 30 years of age, as well as the persons who were not in military evidence for what ever reason and are between 27 and 30 years of age, and who did not responded to an invitation and evaded the military service, arbitrary departed or flee from the armed forces of the Republic of Macedonia during the time period prescribed in Article 1 of this Law, shall be transferred in the reserve forces.

The Minister of Defence will adopt the Guidelines for the implementation of paragraph 1 of this Article within seven days following the day of entry into force of this Law.

Article 3

The procedure of application of this Law to the persons against whom criminal proceedings are ongoing, is initiated *ex officio* by the competent public prosecutor, respectively, the competent first instance court or the person to whom the amnesty applies, respectively the person who may lodge an appeal to the benefit of the defendant.

The procedure of application of this Law to the persons for whom the criminal proceedings are effectively completed shall be initiated *ex officio* by the penitentiary institution where the convicted person serves the sentence to imprisonment, and for the persons that have not yet started to serve the sentence to imprisonment, the procedure is initiated *ex officio* by the court which has passed the first instance verdict or upon the request of the public prosecutor or the convicted person.

The competent body pursuant to the Law on Criminal Proceedings, respectively the Law on Execution of Sanctions, reaches the decision for amnesty of the persons of paragraphs 1 and 2 of this Article within eight days from the day of adoption of this Law.

Article 4

The Public Prosecutor, the persons to whom the amnesty applies, and the persons who may lodge an appeal to their benefit, may lodge an appeal against the decisions of Article 3 of this Law.

The immediate higher court decides upon the appeal against the decision of the first instance court, while the Ministry of Justice decides upon the appeal against the decision of the penitentiary institution.

Article 5

The provisions of the Law on Criminal Proceedings and Law on Execution of Sanctions apply in the procedure of implementation of this Law, if not regulated otherwise by this Law.

Article 6

The Minister of Justice will adopt Guidelines for the Implementation of this Law on the day following the day of the entry into force of this Law.

Article 7

This Law enters into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".