



Amnesty Law ("Republika Srpska")

Publisher [National Legislative Bodies](#)

Publication Date 4 July 1996

Reference BIH-130

Cite as *Amnesty Law ("Republika Srpska")* [], 4 July 1996, available at: <http://www.refworld.org/docid/3ae6b4d810.html> [accessed 23 January 2014]

Comments This is an unofficial translation. The Law was adopted by the National Parliament of the "Republika Srpska" on 19 June 1996, and was published in the official bulletin of the "Republika Srpska", Sluzbeni Glasnik Republike Srpske, No. 13/1996 dated 26 June 1996.

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

Article 1

Hereby a release from criminal prosecution or a complete or partial acquittal from a pronounced sentence or its part which has not been executed yet (further: amnesty) shall be granted to all persons who in the period from 1 January 1991 until 14 December 1995 committed any of the criminal acts against the basis of the social organization of the Republic of Srpska from Chapter XV, the criminal acts against the military forces of the Republic of Srpska foreseen in the Criminal Law of the Republic of Srpska as well as the criminal acts of spreading false information from Article 203 and illegal possession of weapons and explosive devices from Article 213 of the Criminal law - its particular part.

Article 2

The persons who committed the criminal acts from Article 1 of this Law the results of which were premeditated murders, as well as the persons who are citizens of the Republic of Srpska who committed the criminal acts of: not responding to the summons and avoiding military service from Article 214; self-willed leaving and desertion from Article 217 of the Criminal Law of Republic of Srpska, shall be excluded from amnesty.

Article 3

If a criminal proceeding for the criminal acts from Article 1 of this Law has not been taken, it will not be taken at all, and if it has been taken, but not gone into effect, it will be dropped.

Article 4

The decision on the amnesty application shall be brought, depending on the stage of the proceeding, by an investigation judge or the Chairman of the Board of Judges who judges or judged in the first degree proceeding.

The decision from Paragraph 1 of this Article shall be brought ex officio within a three-day period after the Law enters into force.

Article 5

A defendant, his defender and the person from Article 360, Paragraph 2 of the Law on Criminal Proceeding can submit a proposal for the decision on amnesty application. The court is obliged to decide upon this proposal within a three-day period from the day of the submission.

Article 6

A complaint against the decision on amnesty application can be filed by a public prosecutor, a defendant and his defender. The person from Article 360, Paragraph 2 of the Law on Criminal Proceeding can file a complaint against the decision, that is a refusal of the proposal for amnesty application, only provided the person himself submitted the proposal.

The complaint does not delay the execution of the decision.

Article 7

If the defendant, who is by the provisions of this Law pardoned from criminal prosecution or sentence execution, is being in a custody or serving a sentence, the court shall order for him to be released immediately.

Article 8

If the defendant is being in a custody or serving a sentence and the court before which the proceeding of the first degree is taken or was taken is not located on the territory of the Republic of Srpska, the decision from Articles 4 and 5 of this Law shall be brought by the manager of the prison in which the defendant is imprisoned. Complaints against decisions of the manager of the prison shall be decided on by Minister of Justice and Administration.

Article 9

The provisions of the Law on Criminal Proceeding shall apply to delivery of documents, term counting and a procedure after a complaint.

Article 10

The more detailed instructions for implementation of this Law shall be given by Minister of Justice and Administration, with an agreement of Minister of Defense.

Article 11

This Law shall enter into force eight days after its publication in the "Official Messenger of the Republic of Srpska".

Search Refworld

by keyword

and / or country

[Advanced Search](#) | [Search Tips](#)

Countries

- [Bosnia and Herzegovina](#)

Topics

- [Transitional justice \(including amnesty laws\)](#)