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Please note that this translation is a final text of the Act from the Official Gazette no. 80/1996.

UNOFFICIAL TRANSLATION BY CAT

GENERAL AMNESTY ACT

(Official Gazette no. 80/1996)

Article 1

This Act grants general amnesty from criminal prosecution and proceedings against perpetrators of criminal acts committed during aggression, armed rebellion or armed conflicts, or related to aggression, armed rebellion or armed conflicts in the Republic of Croatia.

The amnesty also relates to the execution of the final verdict passed against the perpetrators of criminal acts referred to in Paragraph 1 of this Article.

The amnesty from criminal prosecution and proceedings relates to acts committed in the period from August 17, 1990 to August 23, 1996.

Article 2

Criminal prosecution shall not be undertaken and criminal proceedings shall not be initiated against the perpetrators of criminal acts referred to in Article 1 of this Act.

If criminal prosecution has been undertaken it shall be stopped, and if criminal proceedings have been initiated, the proceedings shall be stopped ex officio by a court ruling.

If the person to whom the amnesty from Paragraph 1 of this Article is related is deprived of liberty, the person shall be released by a court ruling.

Article 3

The amnesty for criminal acts referred to in Article 1 of this Act excludes perpetrators of the most serious violations of humanitarian law having the characteristics of war crimes, specifically the criminal act of genocide under Article 119, war crimes against the civilian population under Article 120, war crimes against the wounded and sick under Article 121, war crimes against prisoners of war under Article 122, organising groups and instigating the committing of genocide and war crimes under Article 123, unlawful killing and wounding of an enemy under Article 124, illegal seizure of possessions belonging to those killed and wounded on the battlefield under Article 125, use of prohibited combat means under Article 126, violation of parliamentarians under Article 127, cruel treatment of the wounded, sick, and prisoners of war under Article 128, unjustified delay of the repatriation of prisoners of war under Article 129, destruction of cultural and historical monuments under Article 130, instigation of war of aggression under Article 131, abuse of international symbols under Article 132, racial and other discrimination under Article 133, establishing slavery and the transport of enslaved persons under Article 134, international terrorism under Article 135, endangerment of persons under international protection under Article 136, taking of hostages under Article 137 of the Basic Criminal Code of the Republic of Croatia (*Narodne*

Novine, No. 31/93 - revised text, 35/93, 108/95, 16/96, and 28/96), as well as the criminal act of terrorism regulated by provisions of international law.

The Amnesty excludes the perpetrators of other criminal acts stipulated in the Basic Criminal Code of the Republic of Croatia (*Narodne Novine*, No. 31/93 - revised text 35/93., 108/95., 16/96., and 28/96.) and the Criminal Law of the Republic of Croatia (*Narodne Novine*, No. 32/93. - revised text, 38/93., 28/96. And 30/96) which were not committed during aggression, armed rebellion, or armed conflicts or are not related to aggression, armed rebellion, or armed conflicts in the Republic of Croatia.

The provisions of the Law on Criminal Proceedings (*Narodne Novine* No. 34/93 - revised text, 38/93, 25/94, 28/96) on repeating proceedings shall be applied for persons who by a final verdict are sentenced in absence for criminal acts from Paragraph 1 of the Article herein, whereby the deadline from Article 398, Paragraph 1, of that Law begins when the Act herein enters into effect.

Article 4

The state attorney cannot file an appeal against a ruling of the court referred to in Article 2 of the Act herein if the court applied the amnesty to the benefit of a perpetrator of criminal acts for which this Act grants amnesty within the framework of the legal characteristics of the criminal act determined by the state attorney.

Article 5

The Minister of Justice is authorised to enact privy regulations for the implementation of this Act.

Article 6

The following become invalid on the day this Act enters into effect:

1. Amnesty Act related to criminal prosecution and proceedings for criminal acts committed in armed conflicts and in the war against the Republic of Croatia (*Narodne Novine*, No. 58/92 and 39/95).

2. Amnesty Act for perpetrators of criminal acts from the temporarily occupied parts of the territory of the Vukovar-Srijem and Osijek-Baranja Županijas (*Narodne Novine*, No. 43/96).

Article 7

This Act shall enter into effect eight days after being published in *Narodne Novine*.

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Zagreb, September 20, 1996

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OF THE REPUBLIC OF CROATIA

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