Decision amending the Law on the Supreme Court of the Federation

In accordance with my authority under Annex 10 for Peace Agreement and Article XI of the Bonn Document, I do hereby decide that the Law on Amendments to the Law on the Supreme Court of the Federation of Bosnia and Herzegovina enters into force with immediate effect on an interim basis, until the Parliamentary Assembly adopts this law in due form.

Sarajevo, 30 July 1998	Carlos Westendorp High Representative

Law on Amendments to the Law on the Supreme Court of the Federation of Bosnia and Herzegovina

Article 1

In the Law on the Supreme Court of the Federation of Bosnia and Herzegovina (Official Gazette of the Federation of BiH, Nos. 2/95 and 9/96), in Article 4, in line 4, after word “information”, full stop shall be deleted and the following language shall be inserted: “and directly obtain them by examination of case files”.

Article 2

In Article 10, para 1, at the end of the text, full stop shall be replaced with a comma, after which the following language shall be inserted: ” in accordance with Federal law”.

Article 3

In Article 13, para 1, item 4, after the word “courts”, the following language shall be inserted: “and municipal courts from territories of different cantons”.

In item 5, the words “cantonal” and “cantonal” (*different cases in Bosnian – Interpreter*) shall be deleted; at the end of the text, the semicolon shall be replaced with a comma, after which the following language shall be inserted: “as stipulated by Federal law”.

New paragraphs 2,3 and 4 shall be added after para 1 as follows:

” The Supreme Court is responsible for conducting investigations into, and first instance trials of, perpetrators of the following criminal acts, also as required by legal remedies:

6. terrorism under Article 146 of the Criminal Law of the Federation of Bosnia and Herzegovina (Official Gazette of the Federation of BiH, Nos.43/98, 2/99 and 15/99) (hereinafter:FBiH CL),
7. international terrorism under Article 168 of FBiH CL,
8. inter-cantonal crime,
9. unauthorised production and trafficking of narcotics under Article 252 of FBiH CL this,
10. organised crime.”

“For the purpose of this law, inter-cantonal crime shall be understood to mean criminal acts of terrorism under Article 146 of FBiH CL, international terrorism under Article 168 of FBiH CL, unauthorised production and trafficking of narcotics under Article 252 of FBiH CL, and organised crime.”

“Organised crime shall consist of those crimes committed by two or more people, acting as a structured association or organisation, acting in concert over a period of time, with a view to committing multiple offences at least one of which is punishable by at least five years of imprisonment. The offences may be an end in themselves or a means of obtaining material benefits, obstructing the return of refugees or otherwise threatening the peace and stability of the

Federation and, where appropriate, of improperly influencing the operation of public authorities."

Article 4

In Article 17, para 1, line 1, the language: "for first instance trials of perpetrators of criminal acts under Article 13, para 2 of this Law, department" shall be added after the word "department; in line 4, the language" and administrative lawsuit proceedings shall be added after the words: "civil suit".

In para 2, the words "and administrative" shall be deleted.

After para 2 a new paragraph 3 shall be inserted as follows:

"Supreme Court investigation into criminal acts under Article 13, para 2 of this Law shall be conducted by the investigating judge."

Article 5

In article 36, para 1, number "17" shall be replaced with number "24".

Article 6

In Article 51, at the end of the text, full stop shall be replaced with a comma and the following language shall be inserted: "except for affairs related to education of judicial and other employees, with the approval of Supreme Court President".

Article 7

"This Law shall enter into force eight days from the date of its publication in the Official Gazette of the Federation of BiH."

Office of the High Representative