

## DENMARK

Act on Criminal Proceedings before the International Tribunal for the Prosecution of Persons Responsible for War Crimes Committed in the Territory of Former Yugoslavia (Act. No. 1099 of 21 December 1994)

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### WE MARGRETHE THE SECOND,

by the Grace of God, Queen of Denmark, make known that:

Folketinget has passed and We have granted Our Royal Assent to the following Act:

1. Any offence covered by the Statute and the Rules of Procedure and Evidence of the International Tribunal for the Prosecution of Persons Responsible for War Crimes Committed in the Territory of Former Yugoslavia, cf. Annex 1 and Annex 2 hereof, may be prosecuted in Denmark in accordance with the provisions laid down in the legislation, and the said Statute and Rules of Procedure and Evidence.

2. (1) At the request of the Tribunal, the Minister of Justice shall decide that persons against whom the Tribunal has instituted criminal proceedings shall be extradited.

(2) The Minister of Justice shall, furthermore, on request, make decisions about extradition for the purpose of enforcement of the judgements pronounced by the Tribunal.

(3) Parts 3 and 4 of the Act on Extradition of Offenders shall apply, *mutatis mutandis*.

3. No person against whom the Tribunal has instituted criminal proceedings may at the same time be subject to prosecution in this country for the same act.

4. (1) The Minister of Justice may decide that any sentence, etc. imposed by the Tribunal may be enforced in this country.

(2) The enforcement of the sentence shall, to the widest possible extent, take place according to Danish rules and shall not imply any aggravation of the criminal law situation of the person convicted.

(3) The Minister of Justice shall decide - in connection with the decisions mentioned in subsection (1) hereof - to which extent the provisions of parts 2 and 4 or 3 and 4 of the Act on International Enforcement of Judgements, etc. and the conventions mentioned therein shall apply.

(4) The decision of the Minister of Justice shall be submitted to the court for its approval. The decision of the court shall be made by judgement.

5. The Minister of Justice may decide that this Act, *mutatis mutandis*, shall apply to other international prosecution of war crimes.

6. This Act shall come into operation on 1 January 1995.

7. This Act shall not apply to the Faroe Islands and Greenland, but may be given effect, in whole or in part, by Royal Decree, for these regions with such adaptations as warranted by the special conditions in the Faroe Islands and Greenland.

Given at Christiansborg Slot this 21st day of December 1994

Under Our Royal Hand and Seal

**MARGRETHE R.**

**Ministry of Justice, file no. L.A. 1994-7381/2-0002**