

UNITED KINGDOM

Statutory Instrument No.716

The United Nations (International Tribunal) (Former Yugoslavia) order 1996

. Purpose of legislation: to enable the United-Kingdom to cooperate with the Tribunal in the investigation and prosecution of persons accused of committing "International Tribunal crimes"(means a crime in respect of which the Tribunal has jurisdiction under the Statute) and the punishment of persons convicted of such crimes.

. Object of Legislation: it will enable the United-Kingdom to comply with requests from the Tribunal. Such requests may involve, among other things, the arrest and delivery of persons to the International Tribunal, the provision of assistance in the investigation and prosecution of "International Tribunal crimes". The enforcement of orders of the Tribunal for the preservation or restitution of property and to give effect to requests to determine the ownership of property.

The legislation contains provisions enabling the United-Kingdom to comply with these international obligations. In particular, the principal Agreement provides for:

** The arrest and delivery of persons to the Tribunal (Part I).*

** Discontinuance of Proceedings in national Courts - This applies where the Secretary of State receives from the Tribunal a request in accordance with the Statute and the Rules that a national court should defer to the competence of the Tribunal by discontinuing proceedings to which the requests relates (Part II).*

** Transmission of information and records which are requested by the Tribunal (Part III s. 15).*

** Search for material relevant to the Tribunal investigations - Part II of the Police and Criminal Evidence Act 1984 (a) gives the authorities powers of entry, search and seizure for serious arrestable offences. This includes any conduct which constitutes an "International Tribunal crime" and which would constitute a serious arrestable offence if it had occurred in any part of the United Kingdom (Part III s. 16).*