

**AMNESTY AS A SPECIFIC MANNER OF EXTINGUISHING PENALTIES WITH A  
SPECIAL FOCUS IN ITS ADDRESSING MANNER ACCORDING TO THE LAW  
NO.04/L-209 ON AMNESTY OF KOSOVO**

**Prof. Dr. Azem HAJDARI**  
University of Pristina and ILIRIA College  
Pristina, Kosovo

**&**

**Phd. Cand. Albulena HAJDARI**  
ILIRIA College  
Pristina, Kosovo

**ABSTRACT**

Amnesty is one of the manners of extinguishing penalties, respectively the creation of legal situations which impede the criminal prosecution as well as imposition and application of punishments against perpetrators of criminal offences. Amnesty is addressed by law. This Law as any other law is issued by state parliament. In fact through amnesty unassigned persons listed by name are granted exemption from complete or partial prosecution, exemption from the execution of a punishment, the substitution of punishment with a less severe punishment or a suspended sentence or the expunging of punishment, respectively shall be abrogated certain consequences of the punishment. Amnesty is an old institution of criminal law. It is known in Roman and Middle Ages Law. Also contemporary criminal laws recognize amnesty as a criminal-law tool which precludes the imposition of punishment, or the imposed punishment shall be abrogated as whole or partially. In Kosovo the amnesty issue has been regulated by Law on Amnesty which entered into force on July 26, 2013. Amnesty manifests a range of characteristics and its existence and granting is determined by numerous reasons. For granting amnesty is conducted a special procedure. Such procedure shall be initiated according to official duty (ex-officio) and by the initiative (request) of the convicted person, the perpetrator of the criminal offence, state prosecutor and other persons which may file a complaint against the judicial decision. Concerning this institution, proceedings concrete actions have been granted also to Probation Service. Amnesty shall be granted for all criminal offences despite of their gravity. In this short scientific paper is dealt with the meaning, characteristics, importance and the procedure of amnesty implementation, as well as some of the other basic issues of theory-practice nature referring to this criminal-law institution. By preparing this article I have used historical-legal, comparative, dogmatic, statistical methods etc.

**Keywords:** The Assembly, Probation service, Court, Amnesty, convicted person.