

(Acts adopted pursuant to Title V of the Treaty on European Union)

**COUNCIL COMMON POSITION 2004/293/CFSP
of 30 March 2004
renewing measures in support of the effective implementation of the mandate of the International
Criminal Tribunal for the former Yugoslavia (ICTY)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 16 April 2003, the Council adopted Common Position 2003/280/CFSP in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) ⁽¹⁾.
- (2) On 27 June 2003, the Council adopted Council Decision 2003/484/CFSP ⁽²⁾ implementing Common Position 2003/280/CFSP by replacing the list of persons set out in the Annex to the Common Position by the list set out in the Annex to that Decision.
- (3) Common Position 2003/280/CFSP expires on 15 April 2004.
- (4) Persons indicted by the ICTY are still at large, and there is evidence that they are being assisted in their efforts to continue to evade justice.
- (5) Against this background, the Council considers it necessary to renew Common Position 2003/280/CFSP for a further 12 months and to update the list of names to be subject to this Common Position,

HAS ADOPTED THIS COMMON POSITION:

Article 1

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the persons listed in the Annex, who are engaged in activities which help persons at large continue to evade justice for crimes for which the ICTY has indicted them or are otherwise acting in a manner which could obstruct the ICTY's effective implementation of its mandate.

2. Paragraph 1 will not oblige a Member State to refuse its own nationals entry into its territory.

3. Paragraph 1 shall be without prejudice to the cases where a Member State is bound by an obligation of international law, namely:

- (a) as a host country of an international intergovernmental organisation;
- (b) as a host country to an international conference convened by, or under the auspices of, the United Nations; or
- (c) under a multilateral agreement conferring privileges and immunities.

The Council shall be duly informed in each of these cases.

4. Paragraph 3 shall be considered as applying also in cases where a Member State is host country of the Organisation for Security and Cooperation in Europe (OSCE).

5. Member States may grant exemptions from the measures imposed in paragraph 1 where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings, including those promoted by the European Union, where a political dialogue is conducted that directly assists the ICTY in the implementation of its mandate.

6. A Member State wishing to grant exemptions referred to in paragraph 5 shall notify the Council in writing. The exemption will be deemed to be granted unless one or more of the Council Members raises an objection in writing within 48 hours of receiving notification of the proposed exemption. In the event that one or more of the Council members raises an objection, the Council, acting by a qualified majority, may decide to grant the proposed exemption.

7. In cases where pursuant to paragraphs 3, 4, 5 and 6, a Member State authorises the entry into, or transit through, its territory of persons listed in the Annex, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.

Article 2

The Council, acting upon a proposal by a Member State or the Commission, shall adopt modifications to the list contained in Annex as required.

⁽¹⁾ OJ L 101, 23.4.2003, p. 22.

⁽²⁾ OJ L 162, 1.7.2003, p. 77.

Article 3

In order to maximise the impact of the abovementioned measures, the European Union shall encourage third States to adopt restrictive measures similar to those contained in this Common Position.

Article 4

This Common Position shall take effect on the date of its adoption. It shall apply for a 12-month period. It shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.

Article 5

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Brussels, 30 March 2004.

For the Council

The President

M. McDOWELL

ANNEX

List of persons referred to in Article 1

1. BJELICA, Milovan
Date of birth/Place of birth: 19.10.1958, Rogatica, Bosnia and Herzegovina, SFRY
Passport No: 0000148 issued 26.7.1998 in Srpsko Sarajevo
National ID No: 1910958130007
Aliases: Cicko
Address: CENTREK Company in Pale
2. ECIM, Ljuban
Date of birth/Place of birth: 6.1.1964, Sviljanac, Bosnia and Herzegovina, SFRY.
Passport No: 0144290 issued 21.11.1998 in Banja Luka. Date of expiry 21.11.2003.
ID: 601964100083
Aliases:
Address: Ulica Stevana Mokranjca 26, Banja Luka, BiH
3. KARADZIC, Aleksandar
Date of birth/Place of birth: 14.5.1973, Sarajevo Centar, Bosnia and Herzegovina, SFRY
Passport No: 0036395. Expired 12.10.1998
Aliases: Sasa
Address:
4. KARADZIC, Ljiljana (maiden name: ZELEN)
Date of birth/Place of birth: 27.11.1945, Sarajevo Centar, Bosnia and Herzegovina, SFRY
Daughter of Vojo and Anka
Passport No/ID No:
Aliases:
Address:
5. KOJIC, Radomir
Date of birth/Place of birth: 23.11.1950, Bijela Voda, Sokolac Canton, Bosnia and Herzegovina, SFRY
Son of Milanko and Zlatana
Passport/ID: Passport 4742002 Issued on 2002 in Sarajevo. Date of expiry 2007;
ID 03DYA1935. Issued on 7 July 2003 in Sarajevo.
Aliases: Mineur or Ratko
Address: 115 Trifka Grabeza, Pale or Hotel KRISTAL, Jahorina
6. KOVAC, Tomislav
Date of birth/Place of birth: 4.12.1959, Sarajevo, Bosnia and Herzegovina, SFRY
Son of Vaso
ID No: 412959171315
Aliases: Tomo
Address: Bijela, Montenegro; and Pale, Bosnia and Herzegovina
7. KRASIC, Petar
Date of birth/Place of birth:
Passport No/ID No:
Aliases:
Address:

8. KUJUNDZIC, Predrag
Date of birth/Place of birth: 30.1.1961, Suho Pole, Doboj, Bosnia and Herzegovina, SFRY
Son of Vasilija
ID No: 30011961120044
Alias: Predo
Address: Doboj, Bosnia and Herzegovina
 9. LUKOVIC, Milorad Ulemek
Date of birth/Place of birth: 15.5.1968, Belgrade, Serbia, SFRY
Passport No/ID No:
Aliases: Legija (Forged ID as IVANIC, Zeljko)
Address: on the run
 10. MANDIC, Momcilo
Date of birth/Place of birth: 1.5.1954, Kalinovik, Bosnia and Herzegovina, SFRY
Passport No 0121391 issued 12.5.1999 in Srpsko Sarajevo, Bosnia and Herzegovina
National ID No: JMB 0105954171511
Aliases: Momo
Address: GITROS Discotheque in Pale
 11. MICEVIC, Jelenko
Date of birth/Place of birth: 8.8.1947, Borci near Konjic, Bosnia and Herzegovina, SFRY
Son of Luka and Desanka, maiden name: Simic
Passport No/ID No:
Aliases: Filaret
Address: Milesevo monastery, Serbia and Montenegro
 12. RATIC, Branko
Date of birth/Place of birth: 26.11.1957, MIHALJEVCI SL POZEGA, Bosnia and Herzegovina, SFRY
Passport No: 0442022 issued 17.9.1999 in Banja Luka. Date of expiry 17.9.2003
ID No: 2611957173132
Aliases:
Address: Ulica Krfska 42, Banja Luka, Bosnia and Herzegovina
 13. ROGULJIC, Slavko
Date of birth/Place of birth: 15.5.1952, SRPSKA CRNJA HETIN, Serbia, SFRY
Passport No/ID No: Valid passport 3747158 issued 12.4.2002 in Banja Luka. Date of expiry: 12.4.2007. Non-valid passport 0020222 issued 25.8.1988 in Banja Luka. Date of expiry: 25.8.2003
ID No: 1505952103022. Two children on ID
Aliases:
Address: 21 Vojvode Misica, Laktasi, Bosnia and Herzegovina
 14. VRACAR, Milenko
Date of birth/Place of birth: 15.5.1956, Nisavici, Prijedor, Bosnia and Herzegovina, SFRY
Passport No/ID No: Valid passport 3965548 issued 29.8.2002 in Banja Luka. Date of expiry: 29.8.2007. Non-valid passports 0280280 issued 4.12.1999 in Banja Luka (date of expiry 4.12.2004) and 0062130 issued 16.9.1998 in Banja Luka (date of expiry 16.9.2003)
Aliases:
Address: 14 Save Ljuboje, Banja Luka, Bosnia and Herzegovina.
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