

**Criminal Code of Republika Srpska**  
**Official Gazette No 67/13**  
**Relevant THB provisions**

**Soliciting to Prostitution**  
**Article 198**

(1) Whoever, in order to achieve material gain **or other benefits**, entices, incites or lures another into prostitution or whoever, in any way, enables turning a person over to another for the exercise of prostitution or whoever, in any way, takes part in organizing or managing prostitution,

shall be punished by imprisonment for a term of between six months and five years.

~~(2) Whoever, in order to achieve material gain **or other benefits**, forces another into prostitution by force or threat with force or with infliction of harm or deceives another into prostitution,~~

~~shall be punished by imprisonment for a term of between one and five **eight** years.~~

~~(3) The punishment under paragraph 2 of this article shall be applied to anyone who, in order to achieve material gain **or other benefits**, has forced or incited a person into prostitution in the manner set out in paragraph 2 of this article by taking advantage of any hardship the person may be suffering by being a foreigner in the country or who professionally engages another person to do so.~~

~~(4) Whoever commits any criminal offence under paragraphs 1 and 3 of this article against a child or juvenile,~~

~~shall be punished by imprisonment for a term of between one and twelve **two and fifteen** years.~~

~~(5) (2) No account shall be taken of any record of prostitution of any person who has been enticed, incited, lured or forced induced, incited or enticed into prostitution under this Article.~~

**Human Trafficking**  
**Article 198a**

(1) Whoever, by force or threat of force or other forms of coercion, abduction, fraud or deception, abuse of relationship of trust, dependence or vulnerability, difficult circumstances of another person, by giving or receiving of money or other benefits, recruits, transports, transfers, delivers, sells, purchases, intermediates in sale, harbours, receives or keeps a person for the purpose of the use or exploitation of that person's labour, perpetration of a criminal offence, prostitution, use for pornographic purposes, establishment of slavery or similar relationship, forced marriage, forced sterilization, for the purpose of the removal of organs or body parts, for the use in armed forces or of some other type of exploitation, shall be punished by imprisonment for a term of not less than three years.

(2) Whoever seizes, holds or counterfeits or destroys personal identification documents with the purpose of perpetrating criminal offences referred to in paragraph 1 of this Article, shall be punished by imprisonment for a term between two and twelve years.

(3) If the criminal offence referred to in paragraphs 1 and 2 of this Article was perpetrated as member of an organized group, the perpetrator shall be punished by imprisonment for a term of not less than five years.

(4) Whoever uses, or enables other person to use sexual services or other forms of exploitation, and was aware that it concerns the victim of the human trafficking, shall be punished by imprisonment for a term between six months and five years.

(5) If the offence referred to in paragraphs 1, 2, 3 and 4 of this Article are perpetrated by an official person in the exercise of duty, shall be punished by imprisonment for a minimum term of eight years.

(6) If due to the criminal offence referred to in paragraphs 1 and 3 of this Article caused grievous bodily harm, serious health damage, or the death of one or more persons, the perpetrator shall be punished by imprisonment for a minimum term of ten years.

(7) The consent of the victim to any form of exploitation referred to in paragraph 1 of this Article shall bear no relevance to the existence of the criminal offence of human trafficking.

(8) Items, vehicles and facilities used for the perpetration of the offence referred to in this Article shall be seized.

### **Trafficking in Minors** **Article 198b**

(1) Whoever recruits, transports, transfers, delivers, sells, purchases, intermediates in sale, harbours, keeps or receives a person younger than 18 years of age with the purpose of use or exploitation of that person's labour, perpetration of a criminal offence, prostitution or other uses of sexual exploitation, pornography, establishment of slavery or similar relationship, forced marriage, forced sterilization, illegal adoption or similar relationship, for the purpose of the removal of organs or body parts, for the use in armed forces or of some other type of exploitation, shall be punished by imprisonment for a term of not less than five years.

(2) Whoever perpetrates the offence referred to in paragraph 1 of this Article by use of force, serious threat or other forms of coercion, by deception, abduction, blackmail, abuse of office, abuse of relationship of trust, dependence of vulnerability, difficult circumstances of another person, by giving money or other benefits, shall be punished by imprisonment for a term of not less than eight years.

(3) Whoever uses, or enables other person to use sexual services or other forms of exploitation of a minor, and was aware that it concerns the victim of the human trafficking, shall be punished by imprisonment for a term of not less than five years.

(4) Whoever seizes, holds or counterfeits or destroys personal identification documents with the purpose of perpetrating criminal offences referred to in paragraphs 1 and 2 of this Article, shall be punished by imprisonment for a term between three and fifteen years.

(5) If the criminal offence referred to in paragraphs 1, 2, 3 and 4 of this Article was perpetrated as member of an organized group, the perpetrator shall be punished by imprisonment for a term of not less than ten years.

(6) If the offence referred to in paragraphs 1, 2, 3 and 4 of this Article are perpetrated by an official person in the exercise of duty, shall be punished by imprisonment for a minimum term of eight years.

(7) If due to the criminal offence referred to in paragraphs 1 and 3 of this Article caused grievous bodily harm, serious health damage, or the death of one or more

persons, the perpetrator shall be punished by imprisonment for a minimum term of ten years.

(8) The consent of the minor to any form of exploitation referred to in paragraph 1 of this Article shall bear no relevance to the existence of this criminal offence.

(9) Items, vehicles and facilities used for the perpetration of the offence referred to in this Article shall be seized.

**Organizing of a Group or of an Organized Criminal Group for the Purpose of Perpetration of Criminal Offences of Human Trafficking or Trafficking in Minors**  
**Article 198v**

(1) Whoever organizes a criminal group, association or organized criminal group for the purpose of perpetration of the criminal offences referred to in articles 198a and 198b of this Code, shall be punished by imprisonment for a term between three and fifteen years.

(2) Whoever becomes the member of a group or association offences referred to in paragraph 1 of this Article or otherwise assists the group or association, shall be punished by imprisonment for a term between one and ten years.