

# Criminal Code of the Federation of Bosnia and Herzegovina (2003, amended 2017) (excerpts)

*(unofficial translation, emphasis added)*

## Federation of Bosnia and Herzegovina Criminal Code

(FBiH Official Gazette nos. 36/03, 37/03, 21/04, 69/04, 18/05, 42/10, 42/11, 59/14, 76/14, 46/16, 75/17)

### Article 2

#### Meaning of Terms Used in This Code

(11) **Hate crime** is any criminal offence committed for reasons of **race, colour, religious belief, national or ethnic origin, language, disability, sex, sexual orientation or gender**. Such an act shall be considered an **aggravating circumstance** unless this Code expressly provides for a more severe punishment for the aggravated form of the crime committed out of hatred.

### Article 166

#### Murder

(1) Whosoever deprives another person of his life shall be punished by imprisonment for a minimum term of five years.

(2) The liability to imprisonment for a minimum term of ten years or to life imprisonment shall be imposed on any person who:

(...)

(c) deprives another person of his life **out of hatred**;

(...)

### Article 172

#### Grievous Bodily Harm

(1) Whoever inflicts a serious bodily injury upon another person or severely impairs his health, shall be punished by imprisonment for a term between six months and five years.

(...)

(3) Whosoever inflicts bodily harm upon another or impairs his health in such a serious manner that the life of the injured person is endangered, if an important part or organ of his body is destroyed or permanently weakened, if the injured person's earning ability has been impaired permanently or if permanent and serious damage to his health or disfigurement takes place, shall be punished by imprisonment for a term of between one and ten years.

(4) Whosoever commits an act under paragraph 1 above **out of hatred**, shall be punished pursuant to paragraph 3 above.

(...)

## **Article 203**

### **Rape**

(1) Whosoever compels another person to have sexual intercourse with him by force or threat of immediate physical attack upon that person or upon someone close to that person, shall be punished by imprisonment for a term of between one and ten years.

(2) Whosoever commits an offence under paragraph 1 above in an aggravated, cruel or degrading manner, or if at the same time more instances of sexual intercourse or sex acts tantamount to sexual intercourse are performed by more offenders,  
shall be punished by imprisonment for a term of between three and fifteen years.  
(...)

(4) The liability to sentence under paragraph 2 above shall apply to whomsoever commits the offence under paragraph 1 above **out of hatred**.

## **Article 293**

### **Malicious Mischief**

(1) Whoever damages, destroys or renders unusable any property belonging to another  
shall be fined or punished by a term of imprisonment of not more than six months.

(2) Whoever damages, distorts, destroys or renders unusable any property used for religious purposes or cultural benefit situated in a public place, any especially protected natural feature, any object of art, any object of scientific or technical significance, which is part of public collection or is on display to the public, or any object which serves a public need or enhances the appearance of any square, street or park,  
shall be fined or punished by a term of imprisonment of not more than one year.

(3) The punishment under paragraph 2 of this article shall also be imposed on whoever who commits an offence under paragraph 1 of this article **out of hatred**.