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LAW ON THE AMENDMENTS TO THE CRIMINAL CODE OF BOSNIA AND HERZEGOVINA

“Official Gazette of Bosnia and Herzegovina”, 55/06

[NOTE: Criminal Code of Bosnia and Herzegovina was published in the “Official Gazette of Bosnia and Herzegovina”, 3/03.](#)

Pursuant to Article IV 4 a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, at the 81st session of the House of Representatives held on 20 June 2006 and at the 60th session of the House of Peoples held on 7 June 2006, has adopted the

LAW

ON THE AMENDMENTS TO THE CRIMINAL CODE OF BOSNIA AND HERZEGOVINA

Article 1

In the Criminal Code of Bosnia and Herzegovina (Official Gazette of Bosnia and Herzegovina, Nos. 3/03, 54/04, 61/04, 30/05 and 53/06), in Article 1, paragraph (30) shall be deleted.

Current paragraphs (31) and (32) shall become paragraphs (30) and (31).

Article 2

In Article 193a, after paragraph (1) new paragraphs (2) and (3) shall be added to read:

“(2) Whoever uses in any way chemical or biological weapon or means of combat prohibited by the rules of international law,

shall be punished by imprisonment for a term of five years or a long-term imprisonment.

(3) Whoever uses means for controlling disorder as a method of warfare, shall be punished by imprisonment for a term between one and three years.”

In former paragraph (3) of the same Article, letters “and” between paragraph (1) and (2) shall be deleted and “and (3)” shall be added.

Current paragraphs (2) and (3) and (4) shall become paragraphs (4) and (5) and (6).

Article 3

After Article 193a, new Articles 193b) and 193c) shall be added to read:

“Article 193b) (Unauthorised traffic of chemicals)

(1) Whoever imports, exports, transports or intermediates in a sale or traffic of chemicals without a licence prescribed by the Law on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (hereinafter: the Law on the CWC Implementation) or whoever gives untrue data in the procedure for issuance of the licence under the Law on the CWC implementation,

shall be punished by imprisonment for a term between three and ten years.

(2) Whoever organises a group of people with an aim of perpetrating the offence referred to in paragraph (1) of this Article,

shall be punished by imprisonment for a term of five years or by long-term imprisonment.

(3) Whoever perpetrates the offence referred to in paragraph (1) of this Article out of negligence,

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

“Article 193c)

(Activities Contrary to the Regimes Prescribed by the Law on the CWC Implementation)

(1) Whoever engages in activities contrary to the regimes for activities that include chemicals from the Schedule 1 and the Schedule 2 of the Law on the CWC Implementation,

shall be punished by imprisonment for a term between one and five years.

(2) Whoever engages in activities contrary to the regimes for activities that include chemicals from the Schedule 3 of the Law on the CWC Implementation,

shall be punished by imprisonment for a term between one and three years.

(3) Whoever stockpiles chemicals without a licence prescribed by the Law on the CWC Implementation,

shall be punished by imprisonment for a term between six months and three years.”

Article 4

In Chapter XV (*Criminal Offences Against Freedom And Rights Of Individuals And Citizens*), after Article 155, a new article shall be added to read:

“Article 155a)

(Giving False Statements during Nomination Procedure)

(1) Whoever, with an aim of deceiving or keeping in deception the competent nominating authority or the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina or its competent committee as to his/her eligibility for nomination for the positions of Chair, Minister or Deputy Minister of the Council of Ministers of Bosnia and Herzegovina or for his approval to those positions, during the nomination and approval procedure for those positions conducted pursuant to the law gives a false statement, in written or oral form, regarding data or information necessary for a determination of his eligibility and which he is obliged to submit pursuant to the law and other regulation, thus concealing or altering facts relevant for a decision on nomination or approval,

shall be punished by a fine or imprisonment for a term not exceeding three years.

(2) If the perpetrator voluntarily withdraws his false statement before the final decision has been made, he

shall be punished by a fine or imprisonment for a term not exceeding six months,

but may be released from punishment.”

Article 5

This Law shall enter into force on the eighth day after its publication in the “Official Gazette of BiH”.

PA BiH No. 327/06

7th June 2006

Sarajevo

Chair
of the House of Representatives
of the Parliamentary Assembly of BiH
Martin Raguž, *m.p.*

Chair
of the House of Peoples
of the Parliamentary Assembly of BiH
Goran Milojević, *m.p.*