

Criminal legislation

Title	"Official Gazette Number"	Date of Publishing
Criminal Code of Bosnia and Herzegovina	BH, 3/03	10/02/2003
	BH, 32/03	28/10/2003
Criminal Code of Bosnia and Herzegovina (Revised Text)	BH, 37/03	22/11/2003
Amendments:		
High Representative Decision Enacting the Amendment to the Criminal Code of Bosnia and Herzegovina No. 301/04	BH, 54/04	08/12/2004
Law on Amendments to the Criminal Code of Bosnia and Herzegovina	BH, 61/04	29/12/2004
Law on Amendments to the Criminal Code of Bosnia and Herzegovina	BH, 30/05	17/05/2005
Law on Amendments to the Criminal Code of Bosnia and Herzegovina	BH, 53/06	13/07/2006
Law on Amendments to the Criminal Code of Bosnia and Herzegovina	BH, 55/06	18/07/2006
Law on Amendments to the Criminal Code of Bosnia and Herzegovina	BH, 8/10	02/02/2010
Law Amending the Criminal Code of Bosnia and Herzegovina	BH, 47/14	17/06/2014
Law on Amendments to the Criminal Code of Bosnia and Herzegovina	BH, 22/15	16/03/2015
Law on Amendments to the Criminal Code of Bosnia and Herzegovina	BH, 40/15	19/05/2015
Law on Amendments to the Criminal Code of Bosnia and Herzegovina	BH, 35/18	29/05/2018
High Representative Decision Enacting the Law on Amendment to the Criminal Code of Bosnia and Herzegovina	BH, 46/21	27/07/2021
High Representative Decision Enacting the Law on Amendment to the Criminal Code of Bosnia and Herzegovina (No. 10/23)	BH, 31/23	05/05/2023
High Representative Decision Enacting the Law on Amendment to the Criminal Code of Bosnia and Herzegovina	BH, 47/23	07/07/2023
Criminal Procedure Code of Bosnia and Herzegovina	BH, 3/03	10/02/2003
	BH, 32/03	28/10/2003
Criminal Procedure Code of Bosnia and Herzegovina (Revised Text)	BH, 36/03	21/11/2003
Amendments:		
Law on Amendments to the Criminal Procedure Code of Bosnia and Herzegovina	BH, 26/04	07/06/2004
High Representative Decision Enacting the Amendments to the Criminal Procedure Code of Bosnia and Herzegovina No. 321/04	BH, 63/04	31/12/2004
Law on Changes and Amendments to the Criminal Procedure Code of Bosnia and Herzegovina	BH, 13/05	09/03/2005
Law on Changes and Amendments to the Criminal Procedure Code of Bosnia and Herzegovina	BH, 48/05	19/07/2005
High Representative Decision Enacting the Law on Amendments to the Criminal Procedure Code of Bosnia and Herzegovina No. 15/06	BH, 46/06	19/06/2006
High Representative Decision Enacting the Law on Amendments to the Criminal Procedure Code of Bosnia and Herzegovina No. 38/07	BH, 29/07	17/04/2007
High Representative Decision Enacting the Law on Amendments to the Criminal Procedure Code of Bosnia and Herzegovina No. 01/07	BH, 53/07	16/07/2007

Law on Amendments to the Criminal Procedure Code of Bosnia and Herzegovina	BH, 58/08	21/07/2008
Law on Changes to the Criminal Procedure Code of Bosnia and Herzegovina	BH, 12/09	10/02/2009
High Representative Decision Enacting the Law on Amendments to the Criminal Procedure Code of Bosnia and Herzegovina No. 24/09	BH, 16/09	16/02/2009
Law on Amendments to the Criminal Procedure Code of Bosnia and Herzegovina	BH, 93/09	01/12/2009
Law on Amendments to the Criminal Procedure Code of Bosnia and Herzegovina	BH, 72/13	17/09/2013
Law on Amendments to the Criminal Procedure Code of Bosnia and Herzegovina	BH, 65/18	21/09/2018
Criminal Code of Republika Srpska	RS, 64/17	10/07/2017

NOTE: According to the BHCC Decision U-21/23 ("Official Gazette of Bosnia and Herzegovina," 9/24) from January 18, 2023, Article 280a of this Law is unconstitutional. In deciding the request filed by Denis Zvizdić, the Second Deputy Chairman of the House of Representatives of the Parliamentary Assembly of BiH and 14 Members of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, the Constitutional Court hereby established that Article 280a of the Criminal Code of the Republika Srpska (Official Gazette of the Republika Srpska, 64/17, 104/18, 15/21, 89/21, www.ohr.int – Decision of the HR nos. 12/23 and 73/23) is not compatible with Article II(3)(h) of the Constitution of Bosnia and Herzegovina and Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and quashed the disputed provision of the law. It further established that Articles 208a, 208b, 208v, 208g, 208d and 208đ of the cited law are compatible with Article II(3)(h) of the Constitution of Bosnia and Herzegovina and Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Decision summary:In considering the constitutionality of Article 280a, the Constitutional Court found that the scope of acts which could be regarded as punishable under Article 280a (*Damage to the reputation of the Republika Srpska and its Peoples*) of the contested law called into question the proportionality of the interference by way of criminal sanctions. In addition, the Constitutional Court concluded that the criminal offense referred to in Article 280a of the contested Law, which was punishable by imprisonment, left open the possibility for applying the measures stipulated by the Criminal Procedure Code to ensure the presence of the accused person and the successful conduct of the criminal procedure, or the possibility for ordering the accused into custody, which additionally confirmed the deterrent effect of Article 280a. The Constitutional Court concluded that Article 280a was not proportionate to the aims for which it was enacted and that such interference with freedom of expression was not "necessary in a democratic society.". In considering Articles 208a, 208b, 208v, 208g, 208d, and 208đ, the Constitutional Court noted that the fact that defamation, after a long period, was again prescribed as a criminal offense was not in itself against the Constitution of Bosnia and Herzegovina or the European Convention. However, the Constitutional Court also considered it necessary to point out that, although it did not judge the aforementioned provisions to be unconstitutional, the competent authorities in Republika Srpska should act with special care in the cases of criminal prosecution for the offenses prescribed by these articles and notably take care to apply the challenged provisions in accordance with standards under the well-established case law of the European and Constitutional Court. The Constitutional Court further emphasized that competent authorities should, as much as it is possible, avoid using legal remedies that could deter citizens, notably journalists, from expressing critical opinions on issues of public interest due to fear of criminal and other sanctions. The Constitutional Court concluded that Articles 208a, 208b, 208v, 208g, 208d and 208đ of the Criminal Code of the Republika Srpska were compatible with Article II(3)(h) of the Constitution of BiH and Article 10 of the European Convention.
NOTE: According to the Constitutional Court of Republika Srpska Decision's U-73/23 ("Official Gazette of Republika Srpska", 105/24), Article 190, Paragraph (6) of the Criminal Code of Republika Srpska ("Official Gazette of Republika Srpska", 64/17, 15/21, 89/21 and 73/23) in the part which reads as follows: "persons who have been or are still in an emotional or intimate relationship with each other, regardless of whether the perpetrator shares or has shared the household with the victim" is not in accordance with the Constitution of Republika Srpska.

Law on Amendments to the Criminal Code of Republika Srpska	RS, 15/21	23/02/2021
High Representative Decision Enacting the Law on Amendment to the Criminal Code of Republika Srpska (No. 12/23)	RS, ??/23	not published yet
Law on Amendments to the Criminal Code of Republika Srpska	RS, 73/23	18/08/2023

Law on an Amendment to the Republika Srpska Criminal Code RS	RS, 19/25	05/03/2025
BHCC Decision on Interim Measure U-7/25 (refers to amendments 19/25)	BH, 14/25	11/03/2025
Law on Amendments to the Criminal Code of Republika Srpska	RS, 31/25	04/04/2025
Law on Amendments to the Criminal Code of Republika Srpska	RS, 25/26	23/03/2026
Criminal Procedure Code of Republika Srpska	RS, 53/12	17/05/2012
Law on Amendments to the Criminal Procedure Code of Republika Srpska	RS, 91/17	04/10/2017
Law on Amendments to the Criminal Procedure Code of Republika Srpska	RS, 66/18	04/07/2018
Law on Amendments to the Criminal Procedure Code of Republika Srpska	RS, 15/21	23/02/2021
Criminal Code of the Federation Bosnia and Herzegovina	FBH, 36/03	29/07/2003
Correction to the Criminal Code of the Federation Bosnia and Herzegovina	FBH, 37/03	31/07/2003
Correction to the Criminal Code of the Federation Bosnia and Herzegovina	FBH, 21/04	17/04/2004
Amendments		
High Representative Decision Enacting the Law on Amendments to the Criminal Code of the Federation Bosnia and Herzegovina No. 302/04	FBH, 69/04	07/12/2004
	FBH, 18/05	23/03/2005
Law Amending the Criminal Code of the Federation Bosnia and Herzegovina	FBH, 42/10	21/07/2010
Law Amending the Criminal Code of the Federation Bosnia and Herzegovina	FBH, 42/11	13/07/2011
Law on Amendments to the Criminal Procedure Code of the Federation Bosnia and Herzegovina	FBH, 59/14	23/07/2014
Law Amending the Criminal Code of the Federation Bosnia and Herzegovina	FBiH, 76/14	19/09/2014
Law Amending the Criminal Code of the Federation Bosnia and Herzegovina	FBiH, 46/16	15/06/2016
Law Amending the Criminal Code of the Federation Bosnia and Herzegovina	FBiH, 75/17	04/10/2017
High Representative Decision Enacting the Law on Amendment to the Criminal Code of the Federation of Bosnia and Herzegovina (No. 11/23)	FBiH, 31/23	28/04/2023
Criminal Procedure Code of the Federation of Bosnia and Herzegovina	FBH, 35/03	28/07/2003
Correction to the Criminal Procedure Code of the Federation of Bosnia and Herzegovina	FBH, 37/03	31/07/2003
Correction to the Criminal Procedure Code of the Federation of Bosnia and Herzegovina	FBH, 56/03	14/11/2003
Amendments		
High Representative Decision Enacting the Law on Amendments to the Criminal Procedure Code of the Federation Bosnia and Herzegovina No. 322/04	FBH, 78/04	31/12/2004
	FBH, 28/05	11/05/2005
Law Amending the Criminal Procedure Code of the Federation Bosnia and Herzegovina	FBH, 55/06	20/09/2006

High Representative Decision Enacting the Law on Amendments to the Criminal Procedure Code of the Federation Bosnia and Herzegovina No. 39/07	FBH, 27/07	18/04/2007
	FBH, 53/07	08/08/2007
Law on Amendments to the Criminal Procedure Code of the Federation Bosnia and Herzegovina	FBH, 9/09	11/02/2009
Law on the Changes and Amendments to the Criminal Procedure Code of the Federation Bosnia and Herzegovina	FBH, 12/10	15/03/2010
Law on Amendments to the Criminal Procedure Code of the Federation Bosnia and Herzegovina	FBH, 8/13	30/01/2013
Law on Amendments to the Criminal Procedure Code of the Federation Bosnia and Herzegovina	FBH, 74/20	16/10/2020
Criminal Code of the Brcko District of Bosnia and Herzegovina	BDBH, 10/03	24/06/2003
Amendments		
High Representative Decision Enacting the Law on Changes and Amendments to the Criminal Code of the Brcko District of Bosnia and Herzegovina No. 304/04	BDBH, 45/04	30/11/2004
Law on Changes and Amendments to the Criminal Code of the Brcko District of Bosnia and Herzegovina	BDBH, 6/05	06/04/2005
Law on Changes and Amendments to the Criminal Code of the Brcko District of Bosnia and Herzegovina	BDBH, 21/10	22/06/2010
Law on Changes and Amendments to the Criminal Code of the Brcko District of Bosnia and Herzegovina	BDBH, 9/13	06/06/2013
Law on Amendments to the Criminal Code of Brcko District of Bosnia and Herzegovina	BDBH, 26/16	19/07/2016
Law on Changes and Amendments to the Criminal Code of the Brcko District of Bosnia and Herzegovina	BDBH, 13/17	11/04/2017
Law on Changes and Amendments to the Criminal Code of the Brcko District of Bosnia and Herzegovina	BDBH, 50/18	16/11/2018
Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina	BDBH, 10/03	24/06/2003
Amendments		
High Representative Decision Enacting the Law on Amendments to the Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina No. 323/04	BDBH, 48/04	31/12/2004
High Representative Decision Enacting the Law on Amendments to the Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina No. 41/07	BDBH, 12/07	17/04/2007
Law on Amendments to the Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina	BDBH, 19/07	09/07/2007
Law on Amendments to the Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina	BDBH, 21/07	20/07/2007
Law on Amendments to the Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina	BDBH, 2/08	12/02/2008
Law on Amendments to the Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina	BDBH, 17/09	19/06/2009
Law on Amendments to the Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina	BDBH, 27/14	04/07/2014

Law on Amendments to the Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina	BDBH, 3/19	30/01/2019
Law Enacting an Amendment to the Criminal Procedure Code of the Brcko District of Bosnia and Herzegovina	BDBH, 16/20	30/04/2020
Law of Bosnia and Herzegovina on the Execution of Criminal Sanctions, Detention and Other Measures	BH, 13/05	09/03/2005
High Representative Decision Enacting the Law on Amendments to the Law of Bosnia and Herzegovina on the Execution of Criminal Sanctions, Detention and Other Measures No. 05/07	BH, 53/07	16/07/2007
	BH, 97/07	18/12/2007
Law Amending the Law of Bosnia and Herzegovina on the Execution of Criminal Sanctions, Detention and Other Measures	BH, 37/09	12/05/2009
Law Amending the Law of Bosnia and Herzegovina on the Execution of Criminal Sanctions, Detention and Other Measures	BH, 100/13	23/12/2013
Law on the Execution of Criminal Sanctions in the Federation of Bosnia and Herzegovina	FBH, 44/98	23/11/1998
Corrigenda to the Law on the Execution of Criminal Sanctions in the Federation of Bosnia and Herzegovina	FBH, 42/99	19/10/1999
High Representative Decision Enacting the Law on Amendments to the Law on the Execution of Criminal Sanctions in the Federation of Bosnia and Herzegovina	FBH, 12/09	25/02/2009
Law on Amendments to the Law on the Execution of Criminal Sanctions in the Federation of Bosnia and Herzegovina	FBH, 42/11	13/07/2011
Law on Amendments to the Law on the Execution of Criminal Sanctions in the Federation of Bosnia and Herzegovina	FBH, 39/24	29/05/2024
Law on the Execution of Criminal Sanctions and Sanctions Passed in Minor Offences Proceedings in Republika Srpska	RS, 63/18	20/07/2018
Witnesses Protection		
High Representative Decision Enacting the Law on Protection of Witnesses Under Treat and Vulnerable Witnesses No. 102/03	BH, 3/03	10/02/2003
	BH, 21/03	24/07/2003
Law on Changes and Amendments to the Law on Protection of Witnesses Under Treat and Vulnerable Witnesses	BH, 61/04	29/12/2004
ICTY		
Law on Transfer of Cases from the ICTY to the Prosecutor's Office of Bosnia and Herzegovina and the Use of Evidence Collected by ICTY in Proceedings before the Courts in Bosnia and Herzegovina	BH, 61/04	29/12/2004
High Representative Decision Enacting the Law on Amendment to the Law on Transfer of Cases from the ICTY to the Prosecutor's Office of Bosnia and Herzegovina and the Use of Evidence Collected by ICTY in Proceedings before the Courts in Bosnia and Herzegovina No. 16/06	BH, 46/06	19/06/2006
Law on Amendments to the Law on Transfer of Cases from the ICTY to the Prosecutor's Office of Bosnia and Herzegovina and the Use of Evidence Collected by ICTY in Proceedings before the Courts in Bosnia and Herzegovina	BH, 53/06	13/07/2006