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## MALOLJETNI POČINIOCI KRIVIČNIH DJELA U BOSNI I HERCEGOVINI

### JUVENILE PERPETRATORS OF CRIMINAL OFFENCES IN BOSNIA AND HERZEGOVINA

2018

Cilj statističkog istraživanja jesu pokazatelji o prijavljenim, optuženim i osuđenim maloljetnim počiniocima krivičnih djela, koji su važan instrument za proučavanje strukture kriminaliteta i odluka tijela krivičnog postupka.

*The goal of statistical survey is to get indicators on reported, accused and convicted juvenile perpetrators of criminal offences which are an important tool to study the structure of criminality and decisions of criminal procedure bodies.*

U 2018. godini tužilaštva u Bosni i Hercegovini riješila su 535 izvještaja (prijavu) o počinjenom krivičnom djelu za maloljetna lica, što je u odnosu na prethodnu godinu manje za 37 prijava, ili 6,47 %. Od ukupnog broja izvještaja (prijava) o počinjenom krivičnom djelu za maloljetna lica u 2018. godini, po vrstama odluke za njih 53,83 % je odbačena prijava, 8,79 % pripremni postupak je obustavljen i za 37,38 % slučajeva podnijet je prijedlog za izricanje sankcije.

*In 2018, Public Prosecutor's Office in Bosnia and Herzegovina resolved 535 reports (charges) on perpetrated criminal offences for juvenile persons, which was 37 charges less or 6,47 % lower in comparison with the previous year. Out of the total number of reports (charges) on crimes committed by juveniles in 2018, by type of decision for 53,83 % of them complaints were dismissed, 8,79 % of preparatory procedure was terminated and for 37,38 % of the cases a proposal to impose sanctions was submitted.*

U istom periodu, doneseno je 118 optužbi, što je 5 optužbi manje u odnosu na prethodnu godinu (zbog stupanja na snagu nove zakonske regulative).<sup>1</sup> Od ukupnog broja prijavljenih 22,05 % se odnosi na optužene maloljetnike. Ukupan broj osuđenih maloljetnih lica je 95, što je 1 osuđeni maloljetnik manje u odnosu na prethodnu godinu, ili 1,04 %.

*In the same period, 118 decisions were made, which was 5 decisions less (commencement of new legislation).<sup>1</sup> Out of the total number of reported juvenile persons 22,05 % were the accused juveniles. The total number of convicted juvenile persons is 95, which is 1 convicted juvenile less than the previous year, or 1,04 %.*

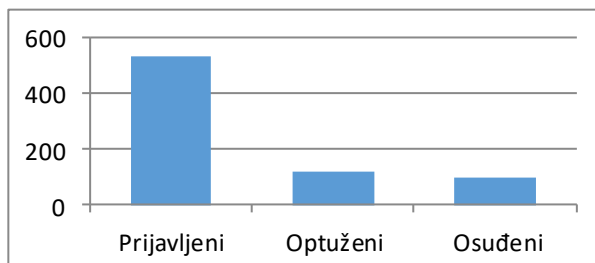
Izrečeno je 95 krivičnih sankcija i to vaspitnih mjera u 98,9% slučajeva, a kazna maloljetničkog zatvora u 1,1 %.

*There were 95 criminal sanctions imposed, out of which 98,9% were educational-correctional measures, and 1,1 % were juvenile imprisonment sentences.*

<sup>1</sup>Zakon o zaštiti i postupanju sa djecom i maloljetnicima u krivičnom postupku ("Službene novine Federacije BiH" broj 7/04).  
*The Law on Protection and Treatment of Children and Juveniles in the Criminal Procedure Code ( "Official Gazette of Federation BiH" No. 7/04)*

**1. MALOLJETNI POČINIOCI KRIVIČNIH DJELA – PRIJAVLJENI, OPTUŽENI I OSUĐENI, 2018. GODINA<sup>2</sup>**  
**JUVENILE PERPETRATORS OF CRIMINAL OFFENCES – REPORTED, ACCUSED AND CONVICTED, YEAR 2018**

	Prijavljeni <i>Reported</i>		Optuženi <i>Accused</i>		Osuđeni <i>Convicted</i>		
	svega <i>all</i>	žene <i>female</i>	svega <i>all</i>	žene <i>female</i>	svega <i>all</i>	žene <i>female</i>	
UKUPNO	535	43	118 <sup>1</sup>	9	95	7	TOTAL



Grafikon 1. Maloljetni upočinioci krivičnih djela u BiH – prijavljeni, optuženi i osuđeni, 2018. godina  
 Graph 1. Juvenile perpetrators of criminal offences in B&H- reported, accused and convicted, year 2018

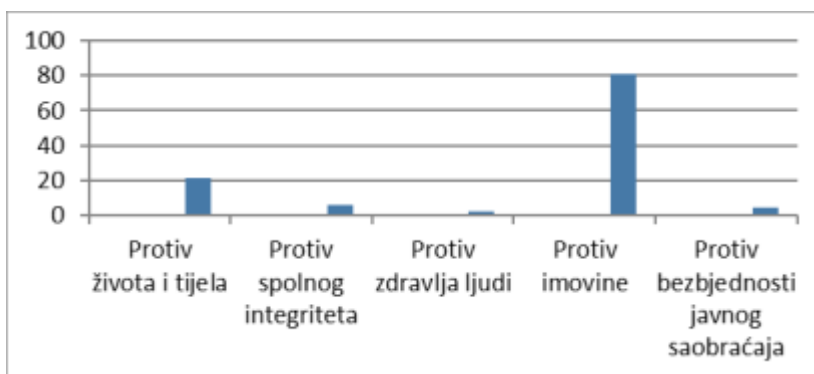
**2. PRIJAVLJENA MALOLJETNA LICA – ODLUKE TUŽILAŠTAVA PREMA GRUPAMA KRIVIČNIH DJELA, 2018. GODINA<sup>2</sup>**  
**REPORTED JUVENILE PERSONS – DECISIONS OF PUBLIC PROSECUTOR'S OFFICE BY TYPE OF CRIMINAL OFFENCES, YEAR 2018**

Grupe krivičnih djela	Prijavljeni <i>Reported</i>		Vrsta odluke <i>Type of decision</i>			<i>Groups of criminal offences</i>
	Svega <i>All</i>	Žene <i>Female</i>	Odbačena prijava <i>Complaints dismissed</i>	Pripremni postupak obustavljen <i>Preparatory procedure terminated</i>	Podnijet prijedlog za izricanje sankcije <i>Proposal to impose sanctions submitted</i>	
UKUPNO	535	43	288	47	200	TOTAL
Protiv života i tijela	117	4	62	11	44	<i>Against life and body</i>
Protiv sloboda i prava građana	19	8	12	1	6	<i>Against civil rights and freedoms</i>
Protiv spolnog integriteta	19	1	9	2	8	<i>Against sexual integrity</i>
Protiv braka i porodice	12	-	6	1	5	<i>Against marriage and family</i>
Protiv zdravlja ljudi	42	4	26	3	13	<i>Against human health</i>
Protiv imovine	303	22	160	29	114	<i>Against property</i>
Protiv pravosuđa	3	1	3	-	-	<i>Against the Administration of Justice</i>
Protiv opće sigurnosti ljudi i imovine	6	1	3	-	3	<i>Against general safety of people and property</i>
Protiv bezbjednosti javnog saobraćaja	14	2	7	-	7	<i>Against traffic safety</i>

<sup>2</sup>Podaci se odnose samo na Federaciju BiH i Republiku Srpsku.  
 The data represents only the Federation of Bosnia and Herzegovina and Republic of Srpska.

**3. OPTUŽENA MALOLJETNA LICA – PREMA GRUPI KRIVIČNIH DJELA I SPOLU, 2018. GODINA<sup>2</sup>**  
**ACCUSED JUVENILE PERSONS – BY GROUP OF CRIMINAL OFFENCES AND SEX, YEAR 2018**

Grupe krivičnih djela	Optuženi Accused		Groups of criminal offences
	Svega All	Žene Female	
UKUPNO	118	9	TOTAL
Protiv života i tijela	21	-	Against life and body
Protiv sloboda i prava građana	2	-	Against civil rights and freedoms
Protiv spolnog integriteta	6	-	Against sexual integrity
Protiv braka i porodice	-	-	Against marriage and family
Protiv zdravlja ljudi	2	2	Against human health
Protiv imovine	81	7	Against property
Protiv pravosuđa	-	-	Against the Administration of Justice
Protiv opće sigurnosti ljudi i imovine	2	-	Against general safety of people and property
Protiv bezbjednosti javnog saobraćaja	4	-	Against traffic safety



Grafikon 2. Optužena maloljetna lica prema grupi krivičnih djela, 2018. godina  
 Graph 2. Accused juvenile persons by group of criminal offences, year 2018

**4. OSUĐENA MALOLJETNA LICA – IZREČENE KRIVIČNE SANKCIJE, 2018. GODINA<sup>2</sup>**  
**CONVICTED JUVENILE PERSONS – CRIMINAL SANCTIONS IMPOSED, YEAR 2018**

	Osuđeni Convicted		Maloljetnički zatvor Juvenile imprisonment	Vaspitne mjere Educational-correctional measures				TOTAL
	svega all	žene female		svega all	upozorenja i usmjeravanja warning and guidance	pojačanog nadzora increased supervision	zavodske mjere institutional measures	
UKUPNO	95	7	1	94	25	57	12	TOTAL



Grafikon 3. Izrečene krivične sankcije, 2018. godina  
 Graph 3. Criminal sanctions imposed, year 2018

<sup>2</sup>Podaci se odnose samo na Federaciju BiH i Republiku Srpsku.  
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## METODOLOŠKA OBJAŠNENJA

### Izvori i metode prikupljanja podataka

Agencija za statistiku BiH na osnovu Zakona o statistici Bosne i Hercegovine ("Službeni glasnik BiH", br.26/04 i 42/04) objavljuje podatke o prijavljenim, optuženim i osuđenim maloljetnim licima u Bosni i Hercegovini u 2018. godini.

Podaci su prikupljeni putem uporedivih godišnjih istraživanja koja provode Federalni zavod za statistiku, Republički zavod za statistiku Republike Srpske i podružnice Brčko distrikta.

### Obuhvat i usporedivost

Obuhvat kriminaliteta kao društveno negativne pojave potpun je jer se statističkim istraživanjima obuhvaćaju svi maloljetni počinioci krivičnih djela, svi maloljetni počinioci prekršaja te pravna i odgovorna lica počinioci prekršaja protiv kojih je vođen i okončan zakonom utvrđen postupak.

Ovim statističkim istraživanjem obuhvaćena su sva maloljetna prijavljena, optužena i osuđena lica u Bosni i Hercegovini. Podaci se odnose na kalendarsku godinu.

### Definicije

**Kriminalitet** u smislu statističkih istraživanja obuhvata pojavu od podnošenja prijave za počinjeno krivično djelo i prekršaj do pravomoćnog okončanja postupka od strane nadležnog tijela (državnog odvjetništva, prvostepenih sudova i drugih prekršajnih tijela).

Jedinice posmatranja jesu počinioci krivičnih djela i počinioci prekršaja.

**Krivično djelo** je protivpravno djelo kojim se povređuju ili ugrožavaju zaštićene vrijednosti i koje je zbog svoje opasnosti u zakonu određeno kao krivično djelo i za njega propisana krivična sankcija.

**Maloljetni počinioci krivičnih djela** jesu lica koja su u vrijeme počinjenja krivičnog djela imala navršених 14 godina, a nisu navršila 18 godina života, prema kojima postupak po krivičnoj prijavi nije pokrenut (odbačena prijava), spremni je postupak obustavljen ili podnesen prijedlog za izricanje sankcija. Krivični postupak pred vijećem pravomoćno je završen odlukom kojom se postupak pred vijećem obustavlja ili se izriču sankcije.

**Mlađi maloljetnik** jest lice koje je u vrijeme počinjenja krivičnog djela navršilo 14, a nije navršilo 16 godina života i koje se ne može kazniti, nego se mogu izreći samo vaspitne mjere.

**Stariji maloljetnik** jest lice koje je u vrijeme počinjenja krivičnog

## NOTES ON METHODOLOGY

### Sources and methods of data collection

Agency for Statistics of Bosnia and Herzegovina publishes data on reported, accused and convicted juvenile persons in Bosnia and Herzegovina in 2018, in accordance with the Law on Statistics of Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", No. 26/04 and 42/04).

Data was obtained from comparable annual surveys which are conducted by Federal Office of Statistics of Federation of Bosnia and Herzegovina, Institute of Statistics of Republic of Srpska and Brcko District Branch.

### Coverage and comparability

Coverage of crime as a negative social phenomena it's comprehensive because its complete statistical surveys include all juvenile criminal offenders, juveniles who committed minor offenses and the legal and responsible persons who committed offenses against them are conducted and statutory procedure completed.

This statistical survey covers all reported, accused and convicted juvenile persons in Bosnia and Herzegovina. The data refers to a calendar year.

### Definitions

**Crime** in terms of statistical research ranges from the filing of a criminal offense and a misdemeanor to a final conclusion of the proceedings by the competent authority (the State Attorney's Office, first instance courts and other judicial bodies).

Units are the perpetrators of crimes and offenses.

**Criminal offence** is an unlawful act violating or threatening protected rights, which is, due to its dangerousness, designated as a criminal offence in the Law, and a criminal sanction is prescribed for it.

**Juvenile perpetrator of a criminal offence** is a juvenile who, at the time of the offence perpetration, completed 14 years of age, but still did not complete 18 years of age, and against whom procedure on criminal charge was either terminated or not initiated, or for whom a proposal to impose sanctions was submitted. The procedure was legally ended by a decision either to terminate the procedure against the juvenile to impose security measures without imposing sanctions, or to impose a sanction.

**Younger juvenile** is a juvenile who, at the time of the offence perpetration, completed 14 years of age, but still did not complete 16 years of age, and against whom only security measures or educational-correctional measures may be imposed.

**Older juvenile** is a juvenile who, at the time of the offence

djela navršilo 16, a nije navršilo 18 godina života i prema kojoj se mogu izreći krivične sankcije.

**Prijavljeno lice** jest maloljetni izvršilac krivičnog djela prema kome je završen izvještaj o počinjenom krivičnom djelu, odlukom kojom pripremni postupak nije pokrenut, pripremni postupak obustavljen ili je podnijet prijedlog za izricanje krivične sankcije.

**Optuženo lice** jest maloljetni izvršilac krivičnog djela prema kome je donijeta odluka kojom se obustavlja postupak prema maloljetniku, izriče vaspitna mjera, izriče mjera bezbjednosti uz vaspitnu mjeru ili se izriče krivična sankcija.

**Osuđeno lice** je maloljetni izvršilac krivičnog djela prema kome je izrečena krivična sankcija (vaspitna mjera ili maloljetnički zatvor).

#### **Znakovi/Symbols**

- nema pojave/ - no occurrence

*perpetration, completed 16 years of age, but still did not complete 18 years of age, and against whom criminal sanctions may be imposed.*

***Reported person** is a juvenile perpetrator of a criminal offence for whom a report on perpetrated criminal offence was completed, by a decision not to initiate the procedure, to terminate the preparatory procedure or to submit a proposal to impose sanctions.*

***Accused person** is a juvenile perpetrator of a criminal offence for whom a decision was made to terminate the procedure against juvenile person, impose correctional measure, impose a security measure with the educational measure with corrective recommendation or imposing criminal sanctions.*

***Convicted person** is a juvenile perpetrator of a criminal offence, against whom a criminal sanction was imposed (educational-correctional measure or juvenile imprisonment).*

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