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MALOLJETNI UČINIOCI KRIVIČNIH DJELA U BOSNI I HERCEGOVINI

JUVENILE PERPETRATORS OF CRIMINAL OFFENCES IN BOSNIA AND HERZEGOVINA

2019

Cilj statističkog istraživanja jesu pokazatelji o prijavljenim, optuženim i osuđenim maloljetnim učiniocima 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 2019. godini tužilaštva u Bosni i Hercegovini riješila su 489 izvještaja (prijava) o počinjenom krivičnom djelu za maloljetne osobe, što je u odnosu na prethodnu godinu manje za 46 prijava, ili 8,6 %. Od ukupnog broja izvještaja (prijava) o počinjenom krivičnom djelu za maloljetne osobe u 2019. godini, po vrstama odluke za njih 53,78 % je odbačena prijava, 6,54 % pripremi postupak je obustavljen i za 39,67 % slučajeva podniet je prijedlog za izricanje sankcije.

In 2019, Public Prosecutor's Office in Bosnia and Herzegovina resolved 489 reports (charges) on perpetrated criminal offences for juvenile persons, which was 46 charges less or 8,6 % lower in comparison with the previous year. Out of the total number of reports (charges) on crimes committed by juveniles in 2019, by type of decision for 53,78 % of them complaints were dismissed, 6,54 % of preparatory procedure was terminated and for 39,67 % of the cases a proposal to impose sanctions was submitted.

U istom periodu, doneseno je 126 optužbi, što je 8 optužbi više u odnosu na prethodnu godinu (zbog stupanja na snagu nove zakonske regulative).¹ Od ukupnog broja prijavljenih 25,77 % se odnosi na optužene maloljetnike. Ukupan broj osuđenih maloljetnih osoba je 116, što je 21 osuđeni maloljetnik više u odnosu na prethodnu godinu, ili 22,11 %.

In the same period, 126 decisions were made, which was 8 (decisions) more (commencement of new legislation).¹ Out of the total number of reported juvenile persons 25,77 % were the accused juveniles. The total number of convicted juvenile persons is 116, which is 21 (convicted) juvenile more than the previous year, 22,11 %.

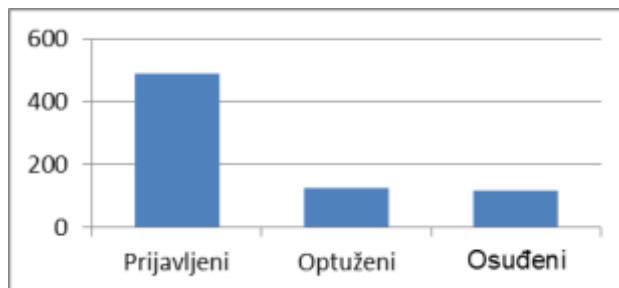
Izrečeno je 116 krivičnih sankcija i to vaspitnih mjera u 93,97% slučajeva, a kazna maloljetničkog zatvora u 6,03 %.

There were 116 criminal sanctions imposed, out of which 93,97% were educational-correctional measures, and 6,03 % were juvenile imprisonment sentences.

¹Zakon 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 UČINIOCI KRIVIČNIH DJELA – PRIJAVLJENI, OPTUŽENI I OSUĐENI, 2019. GODINA²
JUVENILE PERPETRATORS OF CRIMINAL OFFENCES – REPORTED, ACCUSED AND CONVICTED, YEAR 2019

	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	489	21	126	4	116	3	TOTAL



Grafikon 1. Maloljetni učinioci krivičnih djela u BiH – prijavljeni, optuženi i osuđeni, 2019. godina
 Graph 1. Juvenile perpetrators of criminal offences in B&H- reported, accused and convicted, year 2019

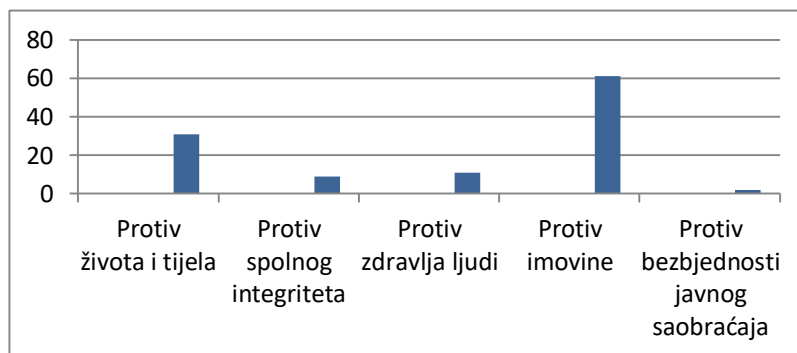
2. PRIJAVLJENE MALOLJETNE OSOBE – ODLUKE TUŽILAŠTAVA PREMA GRUPAMA KRIVIČNIH DJELA, 2019. GODINA²
REPORTED JUVENILE PERSONS – DECISIONS OF PUBLIC PROSECUTOR'S OFFICE BY TYPE OF CRIMINAL OFFENCES, YEAR 2019

Grupe krivičnih djela	Prijavljeni <i>Reported</i>		Vrsta odluke <i>of decision</i>			Groups of criminal offences
	Svega <i>All</i>	Žene <i>Female</i>	Odbačena prijava <i>Complaints dismissed</i>	Pripremni postupak obustavljen <i>Preparatory procedure terminated</i>	Podniet prijedlog za izricanje sankcije <i>Proposal to impose sanctions submitted</i>	
UKUPNO	489	21	263	32	194	TOTAL
Protiv života i tijela	100	5	52	5	43	Against life and body
Protiv sloboda i prava građana	16	2	7	1	8	Against civil rights and freedoms
Protiv spolnog integriteta	18	1	10	-	8	Against sexual integrity
Protiv braka i porodice	16	1	14	-	2	Against marriage and family
Protiv zdravlja ljudi	26	1	12	1	13	Against human health
Protiv imovine	280	6	150	25	105	Against property Against the Administration of Justice
Protiv pravosuđa	8	4	6	-	2	Against general safety of people and property
Protiv opće sigurnosti ljudi i imovine	18	1	9	-	9	Against general safety of people and property
Protiv bezbjednosti javnog saobraćaja	7	-	3	-	4	Against traffic safety

²Podaci o prijavljenima se odnose samo na Federaciju BiH i Republiku Srpsku.
 The data of Reported represents only the Federation of Bosnia and Herzegovina and Republic of Srpska.

3. OPTUŽENE MALOLJETNE OSOBE – PREMA GRUPI KRIVIČNIH DJELA I SPOLU, 2019. GODINA
ACCUSED JUVENILE PERSONS – BY GROUP OF CRIMINAL OFFENCES AND SEX, YEAR 2019

Grupe krivičnih djela	Optuženi Accused		Groups of criminal offences
	Svega All	Žene Female	
UKUPNO	126	4	TOTAL
Protiv života i tijela	31	1	Against life and body
Protiv sloboda i prava građana	2	1	Against civil rights and freedoms
Protiv spolnog integriteta	9	1	Against sexual integrity
Protiv braka i porodice	1	-	Against marriage and family
Protiv zdravlja ljudi	11	1	Against human health
Protiv imovine	61	-	Against property
Protiv pravosuđa	3	-	Against the Administration of Justice
Protiv opće sigurnosti ljudi i imovine	6	-	Against general safety of people and property
Protiv bezbjednosti javnog saobraćaja	2	-	Against traffic safety



Grafikon 2. Optužene maloljetne osobe prema grupi krivičnih djela, 2019. godina
 Graph 2. Accused juvenile persons by group of criminal offences, year 2019

4. OSUĐENE MALOLJETNE OSOBE – IZREČENE KRIVIČNE SANKCIJE, 2019. GODINA
CONVICTED JUVENILE PERSONS – CRIMINAL SANCTIONS IMPOSED, YEAR 2019

	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	116	3	7	109	28	64	17	TOTAL



Grafikon 3. Izrečene krivične sankcije, 2019. godina
 Graph 3. Criminal sanctions imposed, year 2019

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 osobama u Bosni i Hercegovini u 2019. 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 učinioci krivičnih djela, svi maloljetni učinioci prekršaja te pravne i odgovorne osobe učinioci prekršaja protiv kojih je vođen i okončan zakonom utvrđen postupak.

Ovim statističkim istraživanjem obuhvaćene su sve maloljetne prijavljene, optužene i osuđene osobe 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 učinioci krivičnih djela i počinitelji 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 učinioci krivičnih djela jesu osobe koje su u vrijeme učinjenja krivičnih djela imale navršених 14 godina, a nisu navršile 18 godina života, prema kojima postupak po krivičnoj prijavi nije pokrenut (odbačena prijava), pripremni 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 osoba koja je u vrijeme učinjenja krivičnog djela navršila 14, a nije navršila 16 godina života i koja se ne može kazniti, nego joj se mogu izreći samo vaspitne mjere.

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 2019, 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.

Stariji maloljetnik jest osoba koja je u vrijeme učinjenja krivičnog djela navršila 16, a nije navršila 18 godina života i prema kojoj se mogu izreći krivične sankcije.

Prijavljena osoba 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 podniet prijedlog za izricanje krivične sankcije.

Optužena osoba 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.

Osuđena osoba je maloljetni izvršilac krivičnog djela prema kome je izrečena krivična sankcija (vaspitna mjera ili maloljetnički zatvor).

Znakovi/Symbols

- nema pojave/ - no occurrence

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