

Serbia

Criminal Code, 2005

Official Gazette of RS, Nos. 85/2005, 88/2005, 107/2005. This Code shall come into force on 1 January 2006. Translated by OSCE Mission to SaM February 2006.

Article 388

(1) Whoever by force or threat, deception or maintaining deception, abuse of authority, trust, dependency relationship, difficult circumstances of another, retaining identity papers or by 127 giving or accepting money or other benefit, recruits, transports, transfers, sells, buys, acts as intermediary in sale, hides or holds another person with intent to exploit such person's labour, forced labour, commission of offences, prostitution, mendacity, pornography, removal of organs or body parts or service in armed conflicts, shall be punished by imprisonment of two to twelve years.

(2) When the offence specified in paragraph 1 of this Article is committed against a minor, the offender shall be punished by the penalty prescribed for that offence even if there was no use of force, threat or any of the other mentioned methods of perpetration.

(3) If the offence specified in paragraph 1 of this Article is committed against a minor, the offender shall be punished by imprisonment of minimum three years.

(4) If the offence specified in paragraphs 1 and 3 of this Article resulted in grave bodily injury of a person, the offender shall be punished by imprisonment of three to fifteen years.

(5) If the offence specified in paragraphs 1 and 3 of this Article resulted in death of one or more persons, the offender shall be punished by imprisonment of minimum ten years.

(6) Whoever habitually engages in offences specified in paragraphs 1 and 3 of this Article or if the offence is committed by an organised group, shall be punished by imprisonment of minimum five years.

Article 389

(1) Whoever abducts a child under fourteen years of age for the purpose of adoption contrary to laws in force or whoever adopts such a child or mediates in such adoption or whoever for that purpose buys, sells or hands over another person under fourteen years of age or transports such a person, provides accommodation or conceals such a person, shall be punished by imprisonment of one to five years.

(2) Whoever habitually engages in activities specified in paragraph 1 of this Article or if the offence is committed by an organised group, shall be punished by imprisonment of minimum three years.

Article 390

(1) Whoever in violation of international law enslaves another person or places a person in similar position, or holds a person in slavery or similar position, or buys, sells, hands over to another or mediates in buying, selling and handing over of such person or induces another to sell his freedom or freedom of persons under his support or care, shall be punished by imprisonment of one to ten years.

(2) Whoever transports persons in slavery or other similar position from one country to another, shall be punished by imprisonment of six months to five years.

(3) Whoever commits the offence specified in paragraphs 1 and 2 of this Article against a minor, shall be punished by imprisonment of five to fifteen years.