

# **Macedonia Criminal Code**

Entry into effect 1 November 1996; applied amendments March 2004

## **Founding a slave relationship and transportation of persons in slavery**

### **Article 418**

1. A person who by violating the rules of international law places another in slavery or in some similar relationship, or keeps him under such relationship, buys him, sells him, hands him over to another, or mediates in the buying, selling or handing over of such a person, or instigates another to sell his freedom or the freedom of a person he is keeping or caring for, shall be punished with imprisonment of one to ten years.
2. A person, who transports persons under a slavery or similar relationship from one country to another, shall be punished with imprisonment of six months to five years.
3. A person, who commits the crime from items 1 and 2 against a juvenile, shall be punished with imprisonment of at least five years.

## **Trafficking in Human Beings**

### **Article 418-a**

1. The one that by force, serious threats, delusions or other forms of coercion, by kidnapping, by deceit and abuse of his/her own position and abusing the pregnancy or the position of weakness of somebody else, or the physical or mental disability of another, or, by giving or receiving money or other benefits in order to obtain agreement of the person that has control over another person, recruits, transports, transfers, buys and sells persons, harbors or accepts persons for the purpose of exploitation through prostitution or other forms of sexual exploitation, pornography, forced labor or servitude, slavery, forced marriages, forced fertilization, unlawful adoption, or similar relationship it or illicit transplantation of human organs, shall be punished with imprisonment of at least four years”.
2. The one that buys, sells, keeps and takes children or minors in purpose of exploitation shall be punished with imprisonment of at least eight years.
3. The one that takes away or destroys the ID, passport or other identification document in order to commit the crime from paragraphs (1) and (2) of this article, shall be punished with imprisonment of at least four years.

4. The one who uses or makes it available for another to use sexual services from persons, with the knowledge that they are victims of human trafficking shall be punished with imprisonment from six months to five years.
5. If the crime of paragraph (4) is performed with a child or minor, the offender shall be punished with imprisonment of at least eight years.
6. If the action in the paragraph (1) is committed by a legal entity, this shall be punished with a fine.
7. The items and vehicles used for committing the crime shall be confiscated.

### **Smuggling of migrants**

#### **Article 418-b**

1. The one that by force or by serious threat commits an assault on somebody's life and body, by kidnapping, deception, manipulation, by abuse of his/her own position and the position of weakness of somebody else, illegally transfers migrants over the state border, and the one that makes, acquires or possesses a false traveling documents for such purpose shall be punished with imprisonment of at least 4 years.
2. The one that recruits, transports, transfers, buys and sells, harbors or accepts migrants shall be punished with imprisonment of one to five years.
3. If, while committing the offences from paragraphs (1) and (2), the life and the health of a migrant is threatened, or the migrant is subject to particularly degrading conduct or brutality, or the migrant is prevented from exercising his/her rights determined by international law, the perpetrator shall be punished with imprisonment of at least eight years.
4. If the crime from paragraphs (1) and (2) is committed against a juvenile, the perpetrator shall be punished with the imprisonment of at least eight years.
5. The items and vehicles used for committing the crime shall be confiscated.

### **Organizing a group and abetment in performing crimes of trafficking in humans and smuggling of migrants**

#### **Article 418-c**

1. The one who organizes a group, gang or other association for performing the crimes from Articles 418-a and 418-b shall be punished with imprisonment of at least eight years.
2. The one who becomes member of the group, gang or other association from paragraph (1), or in some other way helps the group, the gang or the association, shall be punished with imprisonment of at least one year.

3. The member of the group from paragraph (1), who informs against the group before it commits the crime shall be released from punishment.

4. The one who invokes, abets or supports the perpetration of the crimes from Articles 418-a and 418-b shall be punished with imprisonment of one to ten years.