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RECENT CHANGES TO THE AMOUNT OF FAIR COMPENSATION FOR NON-PECUNIARY DAMAGES BASED ON THE ORIENTATIONAL CRITERIA OF THE SUPREME COURT OF THE FEDERATION OF BOSNIA AND HERZEGOVINA AND THE FRAMEWORK CRITERIA IN THE LAW ON COMPULSORY TRAFFIC INSURANCE

Summary: *In determining the amount of fair compensation for non-pecuniary damage, courts use an assessment of the circumstances of the case and objective criteria, among which the Orientation Criteria and special criteria defined by lex specialis regulations have special importance in practical application. At the beginning of 2025, the Supreme Court of the Federation of BiH adopted amendments to the Orientation Criteria for Compensation for Non-Pecuniary Damage based on the Law of Obligations, which determine the increased amounts of fair compensation for non-pecuniary damage by 50% compared to the previously valid ones. The Framework Criteria contained in the Law on Compulsory Traffic Insurance of the Federation of BiH are applied to determine the amount of compensation for non-pecuniary damage caused by the use of a motor vehicle. For these Criteria an increase in the standardized compensation amounts in accordance with the increase in the motor vehicle liability insurance premium is also proposed. The paper analyzes the practical implications of the changes to these two Criteria, their mutual relationship, and provides certain recommendations in order to avoid arbitrary action when applying the Criteria in practice. In order to understand the significance of the objective criteria discussed, the authors initially analyze non-pecuniary damage and systems for assessing fair compensation with a comparative review of determining the amount of compensation for bodily injury or death based on motor vehicle liability insurance.*

Key words: *Non-pecuniary damage, Orientation criteria, Framework criteria, Law of Obligations, Law on Compulsory Traffic Insurance*