

# Bosnia and Herzegovina

*Women, Business and the Law 2020* presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Sarajevo). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Bosnia and Herzegovina scores 85 out of 100**. The overall score for Bosnia and Herzegovina is higher than the regional average observed across Europe & Central Asia (84.2).

## Bosnia and Herzegovina - Scores for Women, Business and the Law 2020



### Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, constraints on women's starting and running a business, and gender differences in property and inheritance, Bosnia and Herzegovina gets a perfect score.

### Areas for Improvement

However, when it comes to laws affecting women's pay, laws affecting women's work after having children, and laws affecting the size of a women's pension, Bosnia and Herzegovina could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Bosnia and Herzegovina is on the indicator related to laws affecting women's pay (the WBL2020 Pay Indicator). To improve on the Pay Indicator, Bosnia and Herzegovina may wish to consider allowing women to work the same night hours as men, and allowing women to work in all the same industries as men.

### Recent Reforms (2018-2019)

**Pension:** Bosnia and Herzegovina adopted a new law that allows women and men to retire with partial benefits at ages 56 and 61 respectively. The ages are set to equalize in 2026.

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Law on Travel Documents of Bosnia and Herzegovina No. 4/97, Arts. 3, 8, 16, and 19
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Law on Gender Equality, Arts. 12-13
	Is there legislation on sexual harassment in employment?	Yes	Law on Gender Equality, Arts. 3(2) and 5(2); Law on Prohibition of Discrimination, Arts. 4 and 6
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Law on Gender Equality, Art. 29 <i>Civil:</i> Law on Gender Equality, Art. 23 (2); Law on Prohibition of Discrimination, Art. 12
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Law on Gender Equality, Art. 13
	Can women work the same night hours as men?	No	Labor Law, Art. 41
	Can women work in jobs dangerous in the same way as men?	Yes	Jobs deemed hazardous: No restrictions could be located Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	No	Mining: Labor Law, Art. 59 Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Law on Protection from Domestic Violence in the Federation of Bosnia and Herzegovina; Law on Protection from Domestic Violence of the Republika Srpska
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
Parenthood	Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Law, Art. 62
	Does the government pay 100% of maternity leave benefits?	Yes	Law on Social Protection in Canton Sarajevo, Art. 17
	Is there paid paternity leave?	Yes	Labor Law, Art. 53(1)
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Labor Law, Art. 60
Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	Yes	Law on Gender Equality, Art. 15
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Family Law of the Federation of Bosnia and Hertzegovina, Arts. 251 and 252
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Inheritance Law of the Federation of Bosnia and Hertzegovina of 2014, Arts.10 and 11
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Inheritance Law of the Federation of Bosnia and Hertzegovina of 2014, Arts. 10 and 11
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Family Law of the Federation of Bosnia and Hertzegovina, Arts. 252 and 253
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Family Law of the Federation of Bosnia and Hertzegovina, Arts. 251, 252 and 254
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Law on Pension and Disability Insurance of 21 February 2018, Art. 40 Men: Law on Pension and Disability Insurance of 21 February 2018, Art. 40
	Are the ages at which men and women can retire with partial pension benefits equal?	No	Women: Law on Pension and Disability Insurance of 21 February 2018, Arts. 142, 143 and 145 Men: Law on Pension and Disability Insurance of 21 February 2018, Arts. 142, 143 and 145
	Are the mandatory retirement ages for men and women equal?	Yes	Women: Labor Law, Art. 94 Men: Labor Law, Art. 94
	Are periods of absence due to child care accounted for in pension benefits?	No	No applicable provisions could be located