

# Bosnia and Herzegovina

WBL 2.0 legal frameworks score

**77.5**

WBL 2.0 supportive frameworks score

**47.5**








WBL 2.0 expert opinions score

**81.9**

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Bosnia and Herzegovina, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Sarajevo). The scores for Bosnia and Herzegovina are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0 Legal frameworks score	75.0	100.0	75.0	50.0	100.0	100.0	75.0	50.0	100.0	50.0
WBL 2.0 Supportive frameworks score	0.0	66.7	66.7	50.0	66.7	0.0	75.0	66.7	33.3	50.0
WBL 2.0 Expert opinions score	62.5	100.0	75.0	75.0	100.0	75.0	37.5	93.8	100.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Bosnia and Herzegovina (77.5 out of 100.0) is higher than the global average (64.2) and higher than the Europe & Central Asia regional average (77.0). When it comes to constraints on freedom of movement, constraints related to marriage, laws affecting women's work after having children and laws affecting women's property and inheritance, Bosnia and Herzegovina obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Bosnia and Herzegovina is on the indicator measuring laws affecting women's pay. To improve on the Pay indicator, Bosnia and Herzegovina may wish to consider allowing women to work at night in the same way as men and allowing women to work in an industrial job in the same way as men.

The **WBL 2.0 supportive frameworks score** for Bosnia and Herzegovina (47.5 out of 100.0) is higher than the global average (39.5) and lower than the Europe & Central Asia regional average (51.3). Bosnia and Herzegovina does not attain a perfect score on any of the WBL 2.0 supportive frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Bosnia and Herzegovina is on the indicator measuring supportive frameworks affecting women's safety. To improve on the Safety indicator, Bosnia and Herzegovina may wish to consider developing comprehensive mechanisms to address violence against women, putting in place special procedures for cases of sexual harassment, designating a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women, providing an annual budgetary allocation towards violence against women risk mitigation and prevention and response programs.

The **WBL 2.0 expert opinions score** for Bosnia and Herzegovina (81.9 out of 100.0) is higher than the global average (65.7) and higher than the Europe & Central Asia regional average (75.2). When it comes to expert opinions on freedom of movement, expert opinions on marriage, expert opinions on women's property and inheritance and expert opinions on women's pensions, Bosnia and Herzegovina obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Bosnia and Herzegovina is on the indicator measuring expert opinions on childcare.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Law on Protection from Domestic Violence in the Federation of Bosnia and Herzegovina, Arts. 7 and 17; Law on Protection from Domestic Violence of the Republic of Srpska, Arts. 6 and 23; Criminal Code of the Republika Srpska, Arts. 190 and 193; Criminal Code of the Federation of Bosnia and Herzegovina, Arts. 203 and 222
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	Yes	Law on Gender Equality, Arts. 3(2), 5(2), 11(3), 23(2) and 29; Law on Prohibition of Discrimination, Arts. 2, 4, 6(a)-(b), 12(1)(c) and 19; Act on Prevention of Harassment at Work
Is there legislation on child marriage?	Yes	Family Law of the Federation of the Bosnia and Herzegovina, Arts. 15(1), 34 and 39(1); Family Law the Republika Srpska, Art. 36(1); Criminal Code of the Federation of Bosnia and Herzegovina, Art. 212; Criminal Code of the Republika Srpska, Art. 182
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Law on Travel Documents, Arts. 3, 8, 16 and 19
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
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Bosnia and Herzegovina Nationality Law, Secs. 4 and 10
<b>Workplace</b>		
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 and 13
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Labor Code, Arts. 8 and 10
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	Yes	Law on Gender Equality, Art. 13
Can a woman work at night in the same way as a man?	No	Labor Code, Art. 41(5)
Can a woman work in an industrial job in the same way as a man?	No	Labor Code, Art. 59



Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Can a woman be “head of household” or “head of family” in the same way as a man?	Yes	No restrictions could be located
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Family Law, Arts. 41-42
Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Code, Art. 62
Are leave benefits for mothers paid solely by the government?	Yes	Law on Social Protection in Canton Sarajevo, Art. 170
Is there paid leave available to fathers?	Yes	Labor Code, Art. 53 (1)
Is dismissal of pregnant workers prohibited?	Yes	Labor Code, Art. 60
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Law on Preschool Upbringing and Education in Canton Sarajevo, Arts. 19, 21, 23(1), 57(2) and 60(2); Procedure for the Establishment of Preschool Institutions in Canton Sarajevo
Does the law establish any form of support to families for childcare services?	Yes	Law on Preschool Upbringing and Education in Canton Sarajevo, Art. 58; Regulation of the Ministry of Labor, Social Policy, Displaced Persons and Refugees of the Canton Sarajevo of 28 February 2020
Does the law establish any form of support to non-state childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of childcare services in center-based settings?	Yes	Resolution of the Ministry of Education of Canton Sarajevo No. 02-05-31753-8/16 of 10 November 2016, Arts. 14-15; Law on Preschool Upbringing and Education in Canton Sarajevo, Arts. 33(1), 40(6) and 41; Law on Education Inspections, Arts. 3 and 5
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in access to credit based on gender?	Yes	Law on Gender Equality, Art. 15; Law on Protection of Users of Financial Services, Art. 5
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Family Law, Arts. 251, 252 and 253
Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Inheritance Law, Arts. 10 and 11
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Inheritance Law, Arts. 10 and 11
Does the law provide for the valuation of nonmonetary contributions?	Yes	Family Law, Arts. 251-253
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Law on Pension and Disability Insurance, Art. 40
Are the ages at which men and women can retire with partial pension benefits equal?	No	Law on Pension and Disability Insurance of 21 February 2018, Arts. 142, 143 and 145
Is the mandatory retirement age for men and women equal?	Yes	Labor Code, Art. 94
Are periods of absence due to childcare accounted for in pension benefits?	No	No applicable provisions could be located

## WBL 2.0 supportive frameworks data

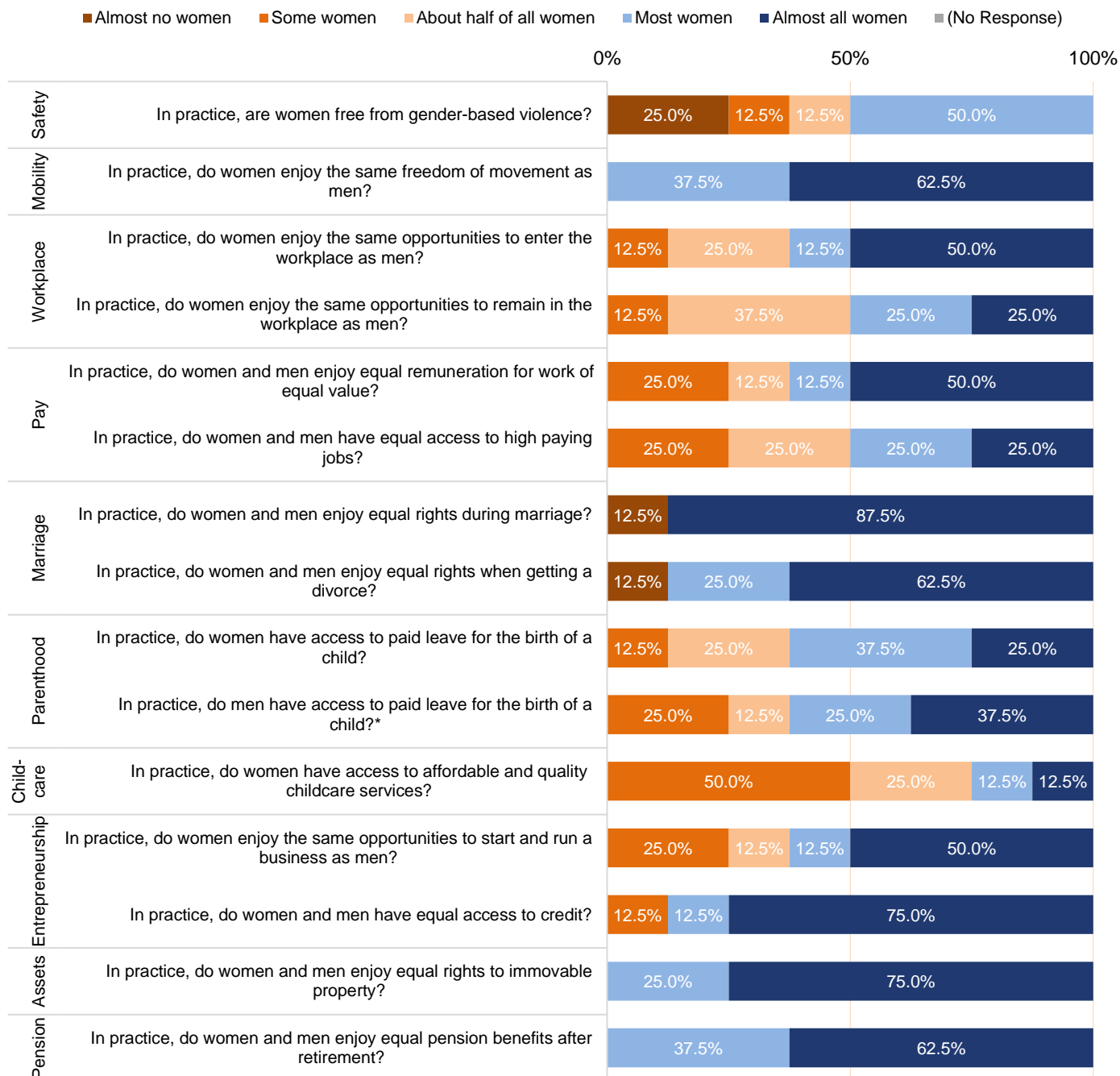
QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	No	Insufficient evidence located
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	No	Insufficient evidence located
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Passport application procedures
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	Yes	Ministry of Civil Affairs of Bosnia and Herzegovina Website on Practical tips to make remote work as healthy, safe and effective as possible
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	Law on Gender Equality, Arts. 23 and 26 (i)(j)
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	Agency for Statistics of Bosnia and Herzegovina: Persons in paid employment by activity, June 2023
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	Yes	Judicial division of the Municipal Court in Sarajevo
Is legal aid available for family law disputes?	Yes	Cantonal Institute for Providing Free Legal Aid
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	No	Insufficient evidence located
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Official Website of the Ministry of Education of the Canton Sarajevo
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Official Website of the the Municipality of Novi Grad Sarajevo
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	Yes	Official Website of Preschool, Primary and Secondary Education, Report on quality research in preschool education institutions 2022
<b>Entrepreneurship</b>		



Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	Yes	Agency for Statistics of Bosnia and Herzegovina
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	Incentives for the development of female entrepreneurship; Annual Plan for the Implementation of the Small Economy Development Program 2023
Is there a current national government plan or strategy with a focus on women's access to financial services?	No	Insufficient evidence located
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	Yes	Law on Land, Arts. 19 and 28; Family Law, Arts. 250 - 252
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located
<b>Pension</b>		
Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Law on Pension and Disability Insurance, Arts. 105 and 133



## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.