The Permanent Mission of Bosnia and Herzegovina to the United Nations in Geneva presents its compliments to the United Nations Office of the High Commissioner for Human Rights, and, referring to the Note Verbal dated October 24th, 2012, and request for information on implementation of the Human Rights Resolution 20/4 on discrimination against women in nationality – related matters, including the impact on children, has the honor to transmit the response of Bosnia and Herzegovina.

The Permanent Mission of Bosnia and Herzegovina to the United Nations in Geneva avails itself of this opportunity to renew to the United Nations Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, December 24th 2012

OFFICE OF THE HIGH COMMISSIONER
FOR HUMAN RIGHTS

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Ad 1.
The Law on citizenship prescribes that the marital partner of a BiH citizen can obtain citizenship under the following conditions:
- that the marriage lasted for at least five years before the claim has been submitted and that it still lasts during the filing of the request,
- that their previous citizenship is terminated once the citizenship is obtained, unless a bilateral agreement states otherwise. The termination of previous citizenship is not requested if that is not permitted or cannot be reasonably requested.
- that a person has a permanent place of residence on the territory of Bosnia and Herzegovina for at least the last three years.

The marital status does not influence obtaining of citizenship except in the case when the citizenship is sought based on matrimony with a female or male citizen of BiH, in case of which there are no differences made on the basis of gender. For the acquiring of citizenship, it is important that the submitting party, a woman or a man, fulfills the conditions determined by law, which do not differ in relation to a woman or a man鲜明 they are the same. Women, married or single, have equal rights as men to obtain, change, or keep their citizenship. Marriage with a foreign citizen does not have an influence on the change of a woman’s citizenship except in those cases where she wishes to take on the citizenship of the husband (under the conditions prescribed by the law of the state which the husband comes from). The possibility of dual citizenship has also been foreseen, if there exist a bilateral agreement with the state that the husband comes from (the principle of reciprocity).

According to the available data, in Bosnia and Herzegovina there are equally often cases where wives or husbands apply for citizenship of the woman, depending on the decision of the family, that is, on the selection of the place of residence, so it could be said that the cases of discrimination or imperilment of the right to selection of citizenship are very rare in Bosnia and Herzegovina. The citizenship of the mother or the father has an equal value and, in accordance with the laws of Bosnia and Herzegovina, the choice of marital partners is respected exclusively.

Ad 2.
Children born to a marriage in which the parents hold different citizenships obtain that citizenship upon which the parents agree, and, if the laws of the country of residence or origin of the parents permit it, children can have both citizenships. Children can have their own independent passports and can travel by being registered in the passport of either parent. Both parents have to give an agreement in regards to the travel document of the child and permission for travel. A permission to leave the country is also requested when the parents are separated. If the child is older than 14, his or her consent is necessary in all cases from the previous paragraph. The child’s consent is also requested in all cases of acquiring and terminating of citizenship if he or she is older than fourteen years of age.

Ad 3.
Currently there are no gender specific policies in this area mainly.