

Committee on the Application of Standards

CAN/PV.6 bis

Commission de l'application des normes

04.06.26

Comisión de Aplicación de Normas

114th Session, Geneva, 2026

114^e session, Genève, 2026114.^a reunión, Ginebra, 2026

Warning: this document is a draft and may contain omissions or errors. It is made available solely for the purpose of verification and correction. Persons referred to in this document are not to be regarded as bound by statements attributed to them. The ILO declines all responsibility for any errors or omissions which this document may contain, or for any use which may be made of it by third parties.

Avertissement: ce document est un projet, qui peut comporter des omissions ou des erreurs et n'est rendu public qu'à des fins de vérification et de rectification. Les mentions contenues dans ce document provisoire n'engagent pas les personnes dont les propos sont rapportés. La responsabilité du BIT ne saurait être engagée à raison des éventuelles erreurs et omissions entachant ce document, ou de l'utilisation qui pourrait en être faite par des tiers.

Advertencia: el presente documento es un proyecto y puede contener omisiones o errores. Solo se publica a efectos de comprobación y rectificación. Las declaraciones que se atribuyen en el presente documento provisional a las personas citadas en él no comprometen su responsabilidad. La OIT queda exenta de toda responsabilidad respecto de cualquier error u omisión que pudiera figurar en el presente documento o que pudiera derivarse del uso del documento por terceros.

Decimoséptima sesión, 8 de junio de 2026, 20.55 horas (cont.)**Seventeenth sitting, 8 June 2026, 8.55 p.m. (cont.)****Dix-septième séance, 8 juin 2026, 20 h 55 (suite)**

Presidenta: Sra. López

Chairperson: Ms López

Présidente: M^{me} López**Discusión de los casos individuales (cont.)****Discussion of individual cases (cont.)****Discussion des cas individuels (suite)****Bosnia y Herzegovina**

Convenio sobre el servicio del empleo, 1948 (núm. 88) (ratificación: 1993)

Employment Service Convention, 1948 (No. 88) (ratification: 1993)

Convention (nº 88) sur le service de l'emploi, 1948 (ratification: 1993)

Convenio sobre la política del empleo, 1964 (núm. 122) (ratificación: 1993)

Employment Policy Convention, 1964 (No. 122) (ratification: 1993)

Convention (nº 122) sur la politique de l'emploi, 1964 (ratification: 1993)

Convenio sobre las agencias de empleo privadas, 1997 (núm. 181) (ratificación: 2010)

Private Employment Agencies Convention, 1997 (No. 181) (ratification: 2010)
Convention (n° 181) sur les agences d'emploi privées, 1997(ratification: 2010)

Presidenta – El quinto caso del día de hoy se refiere a la aplicación del Convenio sobre el servicio del empleo, 1948 (núm. 88), el Convenio sobre la política del empleo, 1964 (núm. 122) y el Convenio sobre las agencias de empleo privadas, 1997 (núm. 181) por parte de Bosnia y Herzegovina. Para la discusión sobre este caso contamos con 9 oradores inscritos en la lista.

Les informo de que, de forma excepcional, la Mesa de la Comisión ha aceptado que el representante gubernamental participe de la discusión a distancia, a través de la plataforma Zoom.

Invito al representante gubernamental de Bosnia y Herzegovina, la Sra. Ljiljana Jurak, Subsecretaria del Ministerio de Asuntos Civiles, que intermediará a la distancia, vía Zoom, a tomar la palabra.

Government representative (Ms JURAK, Assistant Minister, Ministry of Civil Affairs of Bosnia and Herzegovina, Head of Delegation) – First of all, I would like to express my sincere regrets that we were unable to respond to your invitation and participate in the scheduled presentation for Bosnia and Herzegovina. Unfortunately, we received information regarding the time slot allocated to Bosnia and Herzegovina at very short notice which did not allow sufficient time to organize our participation. Bosnia and Herzegovina will be represented at the Conference on 10 and 11 June and we look forward to the opportunity to contribute to the discussion during that period. I would also like to apologize for not being able to provide comprehensive answers to the question raised on time due to limited time frame as well as the complex political and constitutional structure of Bosnia and Herzegovina. We were unable to gather all the necessary information from the competent authorities.

In this regard, it is important to emphasize that Bosnia and Herzegovina has five levels of government, making it one of the most administratively complex countries in Europe in the areas of labour employment and social policy. Key competencies are primarily vested at the entity and the continental levels, while the state level has a coordinating role and is responsible for international representation. It is particularly important to note that the Ministry of Civil Affairs of Bosnia and Herzegovina does not have direct competencies for the adoption and implementation of the labour legislation as those responsibilities lie predominantly within the following entities: the Republica Srpska, the Federation of Bosnia Herzegovina, the Brčko District, as well as the cantons. The Ministry's role is primarily one of coordination and representation in relations with international organizations, including the ILO. Within its mandate, the Ministry of Civil Affairs coordinates the preparation, drafting and submission of reports to the ILO in the fulfilment of obligations arising from ratified Conventions.

During the reporting process, the competent entity ministries, and other relevant institutions, provide the Ministry with information and responses falling within their respective areas of competence. These contributions are collected from the relevant administrative authorities, institutions, and other bodies at the entity and cantonal levels, based on the information received. We consolidate, finalize and submit the reports to the ILO, which we failed to do on time.

Since the last reporting period, Bosnia and Herzegovina has made progress in this field, and I believe it is very important to highlight a few things that we currently do, and that is that Bosnia and Herzegovina is finalizing the plan for implementation of a huge guarantee in Bosnia Herzegovina. The implementation should start at the beginning of 2027. We also have the entity plans already adopted by the entity governments, so we are finalizing now.

We also started activities on a decent work platform together with the ILO in Bosnia Herzegovina. Also, we are in the process of adopting a state strategy on employment. At the entity level, we already have strategies that are in force. I would also like to mention some very important projects. The Ministry of Civil Affairs has excellent cooperation through an IPA project implemented by the ILO.

We have already completed two projects, and we already have achieved results. It is very important to mention the “EU for employment” project, and the objective of that project is increasing the employability of groups that are less employable, such as young persons, women from rural areas, Roma people and persons with disability. Additional training measures and direct employment were combined. More than 6,000 people underwent training, and around 800 people found a job or started their own business. I would also like to mention the Local Employment Partnership project. The objective of this project is to reduce unemployment at local level and move from informal undeclared work to formal employment. The project brought together municipalities, employment offices, schools and employers in 20 local partnerships across Bosnia and Herzegovina. Together they create training and programmes tailored to the exact need of companies in their local community. We also have active projects, such as the “EU4Jobs of the Future”. The objective of these projects is to adapt the labour market to modern trends, namely the green and digital economy. This project supports retaining workers for the jobs of the future. We also have one new project: the EU4PEOPLE employment programme in Bosnia and Herzegovina. The objective of this project is to fundamentally modernize public employment services and strengthen institutions. This new project is designed to correct long-standing structural problems such as mismatch between what is taught in schools and the real needs of the companies. It will focus on digitalizing the work of the public employment services so they can more effectively match the unemployed skills with employers’ needs.

Presidenta – Voy a dar ahora la palabra al Sr. Paul Noll, portavoz del Grupo de los Empleador, para que realice su declaración inicial.

Employer members – We thank the Government of Bosnia and Herzegovina for the information on this case of which we have fully taken note. Bosnia and Herzegovina joined the ILO in 1993 and has ratified 83 Conventions and one Protocol. The country has ratified the employment service Convention No. 88 and the employment policy Convention No. 122 in 1993. The Private Employment Agencies Convention No. 181 was ratified in 2010.

The Committee of Experts has issued observations on Convention No. 122 in 2022 and further observations in its recent report. The case has not been discussed in the Committee before. It should be noted that Bosnia and Herzegovina has been recognized by the European Union as a “candidate country” for accession. The country is on the current agenda for future enlargement, and the EU agreed in principle to open EU accession talks but the country must fulfil certain conditions. The case concerns three Conventions.

Regarding Convention No. 122, the first point is on active employment policy and consultation of social partners. In 2025, the overall unemployment rate was 13.4 per cent, 10.6 per cent for men and 17.8 per cent for women. Youth unemployment remained particularly high at 35.3 per cent. Regional disparities persist and the Committee of Experts’ report indicated that monitoring of the results and impact of employment strategies is inadequate.

According to Article 1(1) of Convention No. 122, each Member State shall declare and pursue an active policy designed to promote full, productive and freely chosen employment.

The Committee of Experts requested the Government to take urgent and targeted measures to review and strengthen its active labour market policies. It further requested the Government to report on the specific steps taken and provide a detailed analysis. Regarding the Law on Mediation in Employment and Social Security of Unemployed Persons, the Committee of Experts requested detailed information on the practical application of the new provisions. The Employer members support these requests.

We would like to recall the wording of Article 3 of Convention No. 122. According to this Article, representatives of employers and workers shall be consulted concerning employment policies, with a view to taking fully into account their experience and views and securing their full cooperation in formulating and enlisting support for such policies. Therefore, we ask the Government to involve the social partners accordingly.

Second, on the issue of undeclared work, the Employer members note the Government reports on efforts to tackle challenges in the informal economy. However, we would like to propose to the Government to develop a comprehensive and coordinated strategy, in consultation with the social partners, to facilitate the transition to the formal economy and to provide detailed information.

Third, on the topic of education and training, we note the 2020–2030 Employment Strategy of the Government. This strategy includes initiatives to improve the education system, provide training to unemployed persons, and align education with labour market needs. The Government also indicated that amendments to the Law on Adult Education have been introduced. It added that accredited adult education institutions regularly implement formal education programmes for specific professions, as well as informal education programmes for training in certain occupations. However, the Government indicated a “very significant mismatch” between education and the labour market, which is linked to the high youth unemployment rate. While we acknowledge the new strategies, we encourage the Government to intensify its efforts to ensure that these strategies effectively reduce this mismatch.

Regarding Convention No. 88 on Employment services, the Employer members are concerned about reports on employment services which seemed to be fragmented and uneven in coverage.

First, on the contribution of employment service to employment promotion, we note the information provided on the Social Safety Nets and Employment Support Project (SSNESP). However, since the total number of registered unemployed persons remains critically high, the Employer members ask the Government to provide a detailed assessment of the labour market measures. Furthermore, we ask for updated information on the number of public employment offices, applications for employment received, vacancies notified and persons placed in employment by such offices.

Second, regarding the cooperation with social partners, we note efforts to strengthen the role of the Economic and Social Council and to enhance participation of the social partners. However, we would like to highlight the importance of Articles 4 and 5 of Convention No. 88 on the consultation and involvement of social partners. Taking into account these provisions, the Employer members ask the Government to seek effective cooperation with the social partners and to report on the measures taken.

Third, regarding the activities performed by the employment services, we note that, according to an evaluation of the European Commission in 2024, the public employment services capacities remain weak and that their core functions are limited by the administration

of social benefits. Therefore, we ask the Government to take specific steps to strengthen the public employment services' capacity. The Government should report on the impact of all the programmes and provide information on the status, training, and conditions of service of the public employment services' staff.

Fourth, regarding the prospect of young people, we note the 2023–2025 Action Plan with measures to include employment programmes for the "Youth Guarantee" project scheduled for 2026. However, regarding Article 8 of Convention No. 88, special arrangements for juveniles shall be initiated and developed within the framework of the employment and vocational guidance services. Therefore, we ask the Government to intensify its efforts and to provide detailed information on the practical implementation.

As for the Private Employment Agencies Convention, 1997 (No. 181), we note that 34 private employment agencies were registered in the Federation of Bosnia and Herzegovina and that these agencies did not offer services under Article 1(b) of the Convention. Taking into account these circumstances, we ask the Government to provide further information, especially on the decline in the number of registered private employment agencies and the number of workers placed by registered private employment agencies.

Second, regarding the cooperation between the public employment services and private employment agencies, the Employer members would like to highlight the importance of Article 13 of Convention No. 181. According to this Article, members shall, in accordance with national law and practice and after consulting the most representative organizations of employers and workers, formulate, establish, and periodically review conditions to promote cooperation between the public employment services and private employment agencies.

We note that the Law on Mediation in Employment and Rights during Unemployment stipulates that the Public Employment Office and private agencies cooperate in the interests of unemployed persons and employers. However, according to the Committee of Experts, the joint committee provided for by law has not been established and information on cooperation has not been provided. Therefore, we encourage the Government to establish the joint committee and to promote cooperation between the public and private employment services.

Furthermore, and to conclude, we request the Government to report on the practical results of such cooperation.

Presidenta –Doy ahora la palabra al Sr. Stephen Russell, portavoz del Grupo de los Trabajadores, para que realice su declaración inicial.

Worker members – This is the first time that this Committee is examining the application of Conventions Nos 88, 122 and 181 by the Government of Bosnia and Herzegovina. These Conventions relate to the development, implementation, review and monitoring of employment policy, employment services and vocational guidance and training, which collectively aim to achieve full employment and the raising of standards of living. The Worker members note with serious concern the observations of the Committee of Experts which present a picture of persistent labour market weakness and structural deficiencies that continue to undermine access to decent work and inclusive economic development in the country. The latest labour market figures clearly demonstrate the urgency of the situation.

Unemployment increased by 12.8 per cent in the first quarter of 2025. Overall unemployment remains high at 13.4 per cent, with women facing significantly higher unemployment rates than men. Women workers, particularly those in the informal economy, continue to face structural barriers to labour market participation. Particularly alarming is the youth unemployment rate, which remains at 35.3 per cent. At the same time, the country

continues to face a shortage of decent work opportunities for persons with tertiary education and for highly skilled workers contributing to the continued emigration of qualified young people.

We are also troubled by the persistently high unemployment experienced by persons with disabilities, as well as by the limited effectiveness of existing quota systems and labour market integration measures. These challenges are not isolated problems. They reflect deep and interconnected structural shortcomings in labour market governance and policy implementation and monitoring. While a number of employment strategies, programmes and legislative initiatives have been adopted by both entities in the country, the Committee of Experts' comment make clear that current measures remain insufficient to address the scale and persistence of unemployment and labour market exclusion. Incremental reforms and fragmented initiatives cannot adequately respond to the structural nature of the challenges identified.

What is required is a stronger employment policy framework capable of promoting full, productive and freely chosen employment in line with Convention No. 122. This framework must place particular emphasis on groups facing the greatest barriers to decent work including women, young people, long-term unemployed people, people with disabilities and highly skilled workers who continue to leave the country due to lack of opportunities. In this regard, the Worker members welcome the support provided by two ongoing ILO projects. The project "EU4Employment in Bosnia and Herzegovina – Harnessing the Green and Digital Transitions" (2024–2028) promotes employment creation and labour market inclusion while supporting the country's transition towards a greener and more digital economy. In parallel, the "Youth Guarantee" project aims to expand young people's access to decent work and improve their prospects for labour market integration.

Given the substantial international assistance provided, we expect these initiatives to deliver concrete results on the ground and to demonstrate measurable progress in improving workers' access to the labour market and decent job opportunities. At the same time, the Committee of Experts' observation clearly demonstrate the need for a far more holistic and coordinated approach to labour market governance. Employment policies cannot be developed in isolation from employment services, vocational education and training systems, adult learning strategies and policies aimed at facilitating the transition from the informal to the formal economy. The current lack of coordination between these different policy areas is especially concerning. The Committee of Experts notes, for example, the insufficient coordination between labour administrations and education authorities in relation to adult education and vocational training policies.

This disconnect contributes directly to the persistent mismatch between education outcomes and labour market demand which, in turn, fuels high unemployment and brain drain. Strategies are urgently required to address skills gaps and to improve the employability of jobseekers. We are further concerned by the observations of the Committee of Experts that public employment services continue to face significant capacity constraints. Their ability to perform their core functions remains weakened by limited institutional capacity and by the continued responsibility for administering social benefits. We recall that public employment services must be adequately equipped to fulfil their functions of matching jobseekers with opportunities and collecting labour market information.

Strengthening public employment services must therefore become a priority and measures must be adopted to enable employment services to focus on active support for jobseekers and employers alike. In addition to these challenges, we note the Committee of

Experts' concerns regarding the scale of undeclared work in the country. According to the latest ILO statistics available, the informal economy accounted for 30.5 per cent of total employment in 2019, highlighting the significant number of workers who remain outside the scope of labour protection and social security systems. In this regard, we stress the importance of adopting effective measures to facilitate the transition from the informal to the formal economy. Informal employment continues to leave many workers, particularly women, without adequate labour protections and social security coverage.

A comprehensive strategy is therefore needed to reduce undeclared work, strengthen labour inspection and enforcement, expand social protection coverage and create incentives for the formalization of employment across the economy. A related concern is the protection of migrant workers recruited through private employment agencies. We regret the absence of detailed information on the measures taken to ensure their protection as requested by the Committee of Experts. We recall that under Article 8(1) of Convention No. 181, members are required to take all necessary measures to protect migrant workers from abuse, including through legislation and sanctions against agencies engaged in fraudulent or abusive practices. More broadly, another issue repeatedly highlighted in the Committee of Experts' comment is the absence of sufficient information on the impact of policies and programmes already in place.

While the Government has reported on numerous initiatives, strategies and action plans, the Committee of Experts repeatedly notes the lack of detailed assessments demonstrating whether these measures are producing tangible improvement in employment opportunities. This points to the critical importance of systematic monitoring and policy evaluation. Effective labour market governance requires not only the adoption of strategies and programmes but also robust mechanisms to assess their implementation, effectiveness and impact. Without reliable and disaggregated data, it is impossible to determine whether public policies are reducing unemployment, facilitating labour market inclusion or addressing inequalities affecting women, young people and people with disabilities. We therefore strongly encourage the Government to strengthen its monitoring and data collection mechanisms.

Finally, we wish to emphasize the fundamental importance of full and effective consultation with the social partners at all stages of policy development, policy implementation, monitoring and review as required under the Conventions under review. On this matter, we note with concern the Committee of Experts' repeated observations regarding the limited functioning of tripartite bodies and the insufficient evidence demonstrating that consultations are effective in practice. Effective social dialogue is not merely a procedural requirement. Social partners possess direct knowledge of labour market realities and the challenges faced by workers. Their active participation improves policy design, strengthens implementation and enhances public trust in labour market institutions and reforms.

Strengthening social dialogue institutions in both entities, as well as in the Brčko district, should therefore be treated as a priority. The Committee of Experts' observation leave little doubt that Bosnia and Herzegovina faces significant and deeply rooted labour market challenges that require urgent coordinated and sustained action. Stronger labour market policies, better coordination between employment, education and training systems, improved monitoring and evaluation and genuine social dialogue are all essential components of an effective response. We therefore urge the Government to intensify its efforts, in full consultation with the social partners, to strengthen labour market institutions and policies, improve employment opportunities, facilitate the transition to the formal economy and ensure that all workers, particularly women, young people, people with disabilities and highly skilled workers have access to decent, productive and freely chosen employment.

Before I finish, we regret the need to have postponed this case as several colleagues from our ranks who wished to intervene and were fully prepared to do so are no longer able to address the Committee in person. Among them is the Bosnia and Herzegovina Workers' delegate, Mr Goran Stankovic. We are grateful to the Committee for allowing, in these exceptional circumstances, that I read his statement as written.

Presidenta –

Como el Sr. Goran Stankovic, representante de los trabajadores no pudo estar presente por la reprogramación del caso. La Mesa ha aceptado que su intervención sea leída por el representante de los miembros trabajadores.

Worker member, Bosnia and Herzegovina (Statement read by Mr RUSSELL on behalf of Mr STANKOVIC) – As a member of the delegation of Bosnia and Herzegovina to the Conference, I was not informed by the competent ministry at the level of Bosnia and Herzegovina about the hearing nor about the report of the Committee of Experts.

I consider it unacceptable that the workers' representatives in the national delegation are not informed in a timely manner about issues related to the supervision of the application of international labour standards, especially considering the importance that such procedures and recommendations have for workers, social dialogue and labour legislation in Bosnia and Herzegovina. As we highlighted during the recent meeting of the International Trade Union Confederation (ITUC) union members, Bosnia and Herzegovina is a very complex country when it comes to institutional structure, labour market, social dialogue and the responsibilities of different levels of government, state, entity and Brčko district. When it comes to the participation of the Bosnia and Herzegovina delegation at the Conference, the practice is for workers and employers' representatives to rotate annually between the Republika Srpska and the Federation of BiH. On the part of the Government group, the Ministry of Civil Affairs of Bosnia and Herzegovina is responsible for the organization and coordination of participation. I would like to emphasize that the only information we regularly receive from the Ministry of Civil Affairs is that related to the invitation to participate in the Conference and the appointment of delegation representatives. Other communication is mainly limited to administrative and technical activities, such as purchasing airline tickets, booking accommodation and providing information on delegation members.

We are not involved in communication related to the work of the ILO monitoring mechanisms, including reports of the Committee of Experts and possible state hearings. Also, in recent years, no preparatory meeting of the delegation has been held to discuss the items on the agenda of the Conference and in particular not on issues of importance such as the observations and recommendations of the Committee of Experts. The situation is similar with the permanent mission of Bosnia and Herzegovina to the United Nations in Geneva, whose role is mainly administrative and technical support, such as obtaining accreditation for the delegation. We have not received any information regarding any hearings or consideration of cases related to the application of international labour standards. I will present the position of the Confederation of Trade Unions of the Republika Srpska (CTU RS) in the part that relates to the Republika Srpska.

I would like to point out that the Government of the Republika Srpska, namely the Ministry of Labour and Veterans and Invalids Protection of the Republika Srpska, regularly includes social partners in the process of preparing reports that the ILO requires through the Ministry of Civil Affairs. The reports submitted from the level of the Republika Srpska are agreed with the social partners and are the result of social dialogue. When it comes to Convention No. 122 on employment policy, measures and activities in the Republika Srpska are implemented in

accordance with the employment strategy of the Republika Srpska for the period 2021 and 2022. Social partners actively participate in the creation and monitoring of these policies through institutionalized tripartite social dialogue.

The report particularly highlights concerns about the departure of skilled labour, high youth unemployment and a large number of highly educated individuals who are unable to find adequate employment. In this context, it is important to emphasize that at the initiative of the CTU RS, a process of negotiation has been launched on a new wage system. The main goal of these activities was to retain workers in the Republika Srpska, reduce the grey economy and strengthen the formal labour market. I would especially like to emphasize that the CTU RS has been insisting for years on continuous wage growth as one of the key measures for retaining the domestic workforce.

Unfortunately, despite our constant initiatives and demands, there is not a sufficient degree of readiness among some employers to accept the dynamics of wage increases that would enable the retention of qualified and young workers in the Republika Srpska. As a result, a significant number of workers are deciding to leave the Republika Srpska and Bosnia and Herzegovina and seek employment in Western European countries primarily because of the possibility of higher wages and a better standard of living. The departure of the domestic workforce is leading to an increasingly high shortage of workers in certain sectors which is why employers are increasingly expressing the need to hire foreign workers. At the same time, practice shows that the Republika Srpska and Bosnia and Herzegovina often represent only a temporary destination for foreign workers because they, after a short period of work, also try to find employment in Western European countries driven by the same economic reasons as domestic workers. Therefore, the issue of labour shortage should not be viewed exclusively through the policy of importing workers but primarily through improving working conditions, increasing wages and strengthening social dialogue.

With regard to Convention No. 88 on employment services, we believe that the data provided in the report does not fully reflect current developments in the labour market in the Republika Srpska. According to available data, the unemployment rate decreased from 8.8 per cent in 2024 to 7.8 per cent in 2025 which represents a decrease of 1 percentage point and a continuation of a multi-year trend of decreasing unemployment. However significant challenges remain, primarily in the unfavourable age structure of the unemployed, the immigration of young and qualified workers to the Western European countries as well as the shortage of labour in manufacturing and the healthcare sectors. The CTU RS has its representative on the Management Board of the Employment Service of Republika Srpska who actively participates in the creation and monitoring of employment policies. When it comes to the employment of foreign workers, decisions on quotas are discussed through social dialogue institutions, taking into account the needs of the labour market and protecting the interests of the domestic workforce.

Although the number of foreign workers in the Republika Srpska remains relatively low, accounting for around 1 per cent of total employment, the CTU RS continuously raises issues related to their rights, including the right to organize, collectively bargain and equal treatment in the field of work and employment relations. I believe that sustainable and long-term solutions in the field of employment policy, including the issue of labour migration can be found only through social dialogue and consultation with social partners. Generally speaking, in the Republika Srpska, there is a clear commitment to the consistent implementation of the Conventions ratified by Bosnia and Herzegovina and the Government of the Republika Srpska, together with social partners, is trying to comply with all recommendations. We have no doubt

that we will jointly follow the recommendations and implement them in order to eliminate all shortcomings.

Presidenta – Vamos a dar ahora la palabra a la Sra. Elise-Marie Donovan, que habla en representación de los trabajadores de Suecia.

Another Worker member, Sweden (Ms DONOVAN) – I speak on behalf of the trade unions in the Nordic countries on the application of Conventions Nos 88, 122 and 181. These Conventions are not only about labour market regulation. They are about whether people have real access to decent work, whether young people can build the future in their own country and whether labour market institutions are strong enough to protect both national and migrant workers. Above all, they are about social dialogue because without the genuine involvement of workers' and employers' organizations, no employment policy or employment service can be fair, effective or sustainable.

The situation in Bosnia Herzegovina is deeply concerning. Unemployment remains high, especially among young people, women and skilled workers. This reflects structural barriers to equal opportunity, a shortage of decent jobs and a continuing loss of skills and talent as people leave the country in search of better prospects. Convention No. 122 requires an active employment policy aimed at full, productive and freely chosen employment. This means more than strategies on paper.

It requires coordinated measures, proper follow-up, meaningful consultation with the social partners with a view to taking full account of their experience and views. Convention No. 88 reminds us that public employment services are central institutions in a well-functioning labour market. They must have the capacity to provide guidance and training, placement and reliable labour market information. But capacity alone is not enough. They must also be developed and reviewed in cooperation with workers' and employers' organizations.

This is essential if these services are to meet the needs of workers and employers alike. Convention No. 181 recognizes that private employment agencies may have a role to play in the labour market but only within a framework of clear regulation, effective supervision and close cooperation with public employment services. This is especially important for migrant workers who must be protected from abuse, unfair recruitment, wage undercutting and precarious contracts. Here, too, social dialogue is indispensable. Cooperation between public authorities, trade unions and employers is the best safeguard against exploitation and the best guarantee that labour migration supports decent work rather than undermines it.

Labour migration is increasingly presented as a response to labour shortages and as a driver of growth, but migrant migration cannot become a substitute for effective employment policy nor can it be used to bypass labour standards, collective agreements or trade union rights. That would create a divided labour market marked by growing insecurity. We, therefore, urge the Government to strengthen active employment policies to address rising unemployment, particularly among young people, women and skilled workers, reinforce public employment services, ensure proper regulation of and cooperation with private employment agencies and protect migrant workers in practice. Finally, we urge the Government to guarantee full consultation with the social partners at every stage of this work. Social dialogue is not a formality.

It is a prerequisite for lasting balanced and rights-based labour market reform.

Presidenta – Damos el uso de la palabra ahora a la Sra. Linnea Wikstrom, que habla en representación de la Internacional de Trabajadores de la Construcción y la Madera.

Observer, Building and Woodworkers' International (BWI) (Ms WIKSTRÖM) – I am speaking on behalf of Building and Woodworkers' International representing more than 12 million workers worldwide in construction, building materials, forestry, wood and allied industries. We note with concern that the Committee of Experts' observation regarding persistently high unemployment, particularly among young people and highly qualified workers, as well as the continuing lack of decent work opportunities that is driving many skilled workers to leave the country. Despite various employment measures, unemployment remains high.

Youth unemployment exceeds 35 per cent and significant disparities remain, particularly for women. Employment policies must be judged not only by the number of programmes implemented but by whether workers gain access to decent, productive and freely chosen employment. In construction and forestry, labour shortages coexist with unemployment, reflecting poor working conditions, weak skills matching, inadequate wages and the continuing expansion of undeclared work. We are particularly concerned by the number of fatal workplace accidents reported in the construction sector in the country. On 6 April this year, in Bišće Polje near Mostar, a construction worker lost his life on a building site and other workers were killed in Sarajevo on the 2nd of May.

On 12 May, a 25-year-old worker died on the "corridor 5C highway" project, one of the country's largest infrastructure projects. Too often these tragedies are reported under headlines beginning with the words "another fatal accident". Behind every statistic is a worker who did not return home from work. These cases remind us that employment policy cannot be separated from occupational safety and health. Undeclared work remains a major structural challenge, particularly in the subcontracting chains in construction and forestry.

Workers in informal employment often face unsafe conditions, wage theft, lack of social protection and limited access to trade union representation. We therefore support the Committee of Experts' call for stronger efforts to facilitate the transition from the informal to the formal economy. This requires stronger labour inspection systems, better enforcement, effective sanctions and joint responsibility throughout subcontracting change. Incentives alone will not be sufficient. Public employment services remain essential.

However, they must have the capacity to focus on their core functions of matching workers with employment opportunities and support labour market transitions, particularly for young people and the long-term unemployed. The Committee of Experts has also highlighted the serious mismatch between education and the labour market needs. In many sectors, including construction and woodworking, employers struggle to find qualified workers while many young people face unemployment or leave the country because they see few opportunities to acquire skills and build a future at home. Vocational education, apprenticeships and pathways into skilled trades remain insufficient. We therefore welcome efforts to strengthen vocational education, adult learning and skills development.

These measures must be developed in close collaboration and cooperation with employers' and workers' organizations linked to genuine labour market needs and expanded to ensure that young people have access to quality training, apprenticeships and clear transition from education to employment. We also wish to emphasize the importance of collective bargaining. Collective agreements remain one of the most effective tools for improving working conditions, supporting skills development and providing workers with access to educational opportunities, including trade union education. We therefore regret that the sectorial collective bargaining in important sectors, such as construction and building materials, has stalled in recent years due to the lack of engagement from employers. At the

same time, BWI recognizes that employers in sectors such as construction, wood processing and manufacturing, are increasingly relying on migrant workers to address labour shortages.

While labour migration can help to respond to immediate workforce needs, it cannot replace a comprehensive employment policy aimed at retraining domestic workers and creating decent jobs. The continuing immigration of skilled workers from Bosnia and Herzegovina reflects deeper structural challenges including inadequate wages, insecure employment, weak career prospects and insufficient investment in skills development. BWI further stresses that all migrant workers must enjoy equal treatment, equal pay for work of equal value, adequate social protection, safe working conditions and full access to trade union rights and representation. Strong labour inspections and enforcement mechanisms are essential to prevent abuse, exploitation, social dumping and unfair competition. Labour migration should complement and not undermine efforts to promote decent work, vocational training and sustainable employment opportunities for all workers.

We therefore call on the Government to work closely with the social partners to develop coherent employment, industrial skills and transition policies to support decent work and ensure that no worker is left behind.

Presidenta –No veo más solicitudes de palabra por lo cual invito ahora a la representante gubernamental de Bosnia y Herzegovina, Sra. Ljiljana Jurak, Subsecretaria del Ministerio de Asuntos Civiles, a que formule sus conclusiones.

The Government representative (Ms JURAK) – I will have to apologize. I have a very short time to speak because I am outside of the work. I am very surprised by the words of Mr Goran Stankovic because all the information we had were sent to the workers and the employers. So, unfortunately, as I said in my first statement, we do not have any information today but we will send everything we have in writing.

Presidenta – Muchas gracias, señora por su participación en las labores de la Comisión y por la información facilitada.

Doy ahora la palabra al Sr. Stephen Russell, portavoz del Grupo de los Trabajador, para que realice su declaración final.

Worker members –The Worker members recall that the Conventions under examination require the Government not only to adopt comprehensive policies and targeted measures but also to ensure that these policy measures are coherent, effective, coordinated and capable of delivering tangible progress towards full, productive and freely chosen employment. Bosnia and Herzegovina continues to face profound and persistent labour market challenges including rising unemployment, exceptionally high youth unemployment, structural barriers faced by women, insufficient labour market inclusion of people with disabilities and the continued immigration of highly skilled workers due to the lack of decent work opportunities.

These challenges are further exacerbated by widespread undeclared work, persistently low wages and the limited progress in transitioning to the formal economy. In light of these concerns, the Worker members urge the Government to take concrete and coordinated action.

First, we urge the Government to review and strengthen its active labour market policies to address the structural nature of unemployment. Particular priority should be given to measures aimed at increasing decent work opportunities for women, young people, long-term unemployed workers, people with disabilities and highly skilled workers. These policies should include targeted employment programmes, skills development initiatives and measures aimed at addressing the mismatch between labour market demand and available qualifications. In

this regard, we request the Government to keep the Committee of Experts informed of the measures taken and the results achieved through the project “EU4employment in Bosnia and Herzegovina – harnessing the green and digital transitions” and the “Youth Guarantee” project.

Second, we urge the Government to establish a coherent and coordinated labour market governance framework. Employment policies, public employment services, vocational education and training systems, adult learning strategies and policies aimed at facilitating the transition from the informal to the formal economy, must be developed and implemented in a coherent manner. We also request the Government to strengthen coordination mechanisms between labour administrations, education authorities and the social partners to address skills mismatches, improve employability and reduce skills gaps.

Third, we call on the Government to reinforce the institutional capacity of public employment services in all entities. Public employment services must be adequately resourced and enabled to focus on their core functions including individualized support for jobseekers, labour market matching, vocational guidance and the collection of labour market information. Measures should also be taken to separate the administration of social benefits from active employment support functions.

Fourth, we urge the Government to intensify its efforts to facilitate the transition from the informal to the formal economy in line with the [Transition from the Informal to the Formal Economy Recommendation, 2015 \(No. 204\)](#). This should include comprehensive measures to reduce undeclared work, strengthen labour market inspection and enforcement, extend labour and social protection to workers in the informal economy and address the specific vulnerabilities faced by women in informal employment.

Fifth, we urge the Government to provide detailed information on the measures taken to protect migrant workers recruited or placed in its territory by private employment agencies and to prevent abuses against them.

Sixth, we stress the importance of developing robust monitoring, evaluation and data collection systems. The Committee of Experts repeatedly highlighted the absence of sufficient information regarding the actual impact of policies and programmes currently in place. The Government must therefore establish clear benchmarks and measurable indicators to assess whether the labour market policies are effectively reducing unemployment and improving labour market inclusion. The social partners should be fully involved in the regular monitoring and evaluation of the impact of these policies. Statistical information disaggregated by sex, age, qualification, disability and region should be regularly collected and published.

Finally, we underline the importance of ensuring full and effective consultation with the social partners at all stages of policy development, implementation, monitoring and review as required by the Conventions under examination. Social dialogue must be meaningful, institutionalized and operational in practice. The Government should therefore take immediate steps to strengthen and revitalize tripartite consultation bodies in both entities and in the Brčko district and ensure that the social partners are fully involved in shaping labour market, employment and vocational training policies. The scale and persistence of the challenges identified in this discussion require urgent, sustained and coordinated action. The Worker members therefore urge the Government to act decisively to strengthen labour market institutions and policies, improve coordination across employment and training systems, improve and reinforce public employment services and promote decent, inclusive and formal employment opportunities for all workers. To support these efforts and accelerate progress in the implementation of the Convention, the Worker members encourage the Government to avail itself of ILO technical assistance.

Presidenta – Ahora voy a dar la palabra al Sr. Paul Noll, portavoz del Grupo de los Empleador, para que realice su declaración final.

Employer members – Considering the Committee of Experts' observations and today's discussion, the Employer members would like to recommend to the Government to implement the recommendations made in our previous intervention.

In summary and in particular, we propose the following recommendations to the Government. First, to consult and engage with social partners in line with respective provisions of Conventions Nos 88, 122 and 181. Second, to enter a process of amending the legislation and strengthen initiatives in law and practice in line with Conventions Nos 88, 122 and 181. And finally, to provide information on all measures taken. To conclude, we count on the collaboration of the Government for the implementation of these recommendations.

Presidenta – Damos por concluida la discusión de este caso. Las conclusiones serán adoptadas por la Comisión en la mañana del jueves 11 de junio.

La Comisión reanudará sus labores a las 10 horas del día de mañana y examinará los siguientes casos individuales: la Federación de Rusia, sobre la aplicación del Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87); la República Árabe Siria, sobre la aplicación del Convenio sobre las peores formas de trabajo infantil, 1999 (núm. 182); la República Democrática Popular LAO, sobre el Convenio sobre la edad mínima, 1973 (núm. 138); el Togo, sobre el Convenio sobre la consulta tripartita (normas internacionales del trabajo), 1976 (núm. 144), y de ser posible, Liberia sobre la aplicación del Convenio sobre la libertad sindical y la protección del derecho de sindicación, 1948 (núm. 87).

También quisiera expresar mi profundo agradecimiento a los intérpretes por su extraordinario trabajo.

Para terminar tengo un anuncio importante. Les informo que para conmemorar los cien años de la Comisión, mañana al finalizar la sesión de la mañana, tendremos la visita de un fotógrafo que nos tomará fotos de la Comisión por completo.

Se levanta la sesión.

Se levantó la sesión a las 21.55 horas.

The sitting closed at 9.55 p.m.

La séance est levée à 21 h 55.