



Gender and Employment in Bosnia and Herzegovina - A Country Study

Ms. Lejla Somun-Krupalija



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- A Country Study**

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**Bureau for Gender Equality
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Foreword

Gender equality in employment is a necessity to ensure a fair and productive labour market which provides decent work for both men and women. In 2009 the International Labour Conference concluded that gender equality is a matter of both human rights and economic efficiency, and that gender-sensitive employment policies is a key means for achieving poverty reduction and equitable and inclusive growth.

Coming out of a situation with internal conflicts in the 1990s, Bosnia and Herzegovina has undergone a process of physical, economic and social reconstruction. The country has ratified many international conventions and has sought to establish a robust legal framework both at its state, federal and entity levels, including gender equality laws. However, Bosnian women still experience barriers to participating fully in the world of work. This study provides valuable information on the gender differences in the labour market in Bosnia and Herzegovina. It indicates what are the main challenges behind the low participation of women in the labour market, and factors behind the large gender differences in the sectoral composition of employment. Particularly interesting is the analysis done of the underlying gender stereotypes which shape the gendered division of labour in the workforce.

This study was initiated at a tripartite national workshop in Neum, Bosnia and Herzegovina, in September 2010. A set of common priorities were identified by the national and federal employment agencies, employers and workers, to improve the employment policies in the country. Strengthening gender equality was mentioned as one of the key priority areas.

The paper is the result of collaboration between the Employment Department and the Bureau for Gender Equality. Lejla Somun-Krupalija, gender specialist in Bosnia and Herzegovina, prepared the study. Line Begby and Edward Lawton coordinated the project and the study. Particular thanks for comments and assistance are expressed to Per Ronnås, Leyla Shamchiyeva, Verena Schmitt and Lejla Tanovic. This paper was developed with support from the Government of Sweden.

Jane Hodges
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Abbreviations

BiH	Bosnia and Herzegovina
BD	Brčko Distrikt
CBBH	Central Bank of Bosnia and Herzegovina
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
DEP	Department for Economic Planning
DPA	Dayton Peace Accord
EU	European Union
FBiH	Federation of Bosnia and Herzegovina
FIPA	Foreign Investment Promotion Agency of Bosnia and Herzegovina
GDP	Gross Domestic Product
GEEP	Gender Equity and Equality Program
GEL	Gender Equality Law
GRB	Gender Responsive Budget
HBS	Household Budget Survey
ILO	International Labour Organisation
IMF	International Monetary Fund
LFS	Labour Force Survey
MoCA	Ministry of Civil Affairs
NHDR	National Human Development Report
OHR	Office of the High Representative in Bosnia and Herzegovina
RS	Republika Srpska
SEA	State Employment Agency of BiH
Sida	Swedish International Development Cooperation Agency
SME	Small and Medium Enterprises
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
WB	World Bank

Executive Summary

Promoting gender equality is universally recognized as a central policy goal in economic and social policy throughout the world. ‘Addressing inequalities between men and women allows for the establishment of ‘a social order in which women and men share the same opportunities [for] full participation in both the economic and the domestic realm’.¹ Gender equality enables women and men to realize their human rights in full, enabling them to contribute to and benefit from the economic, social, cultural and political development of society. In the context of the ILO’s Decent Work² agenda ‘gender equality embraces equality of opportunity and treatment, equality of remuneration and access to safe and healthy working environments, equality in association and collective bargaining, equality in obtaining meaningful career development, maternity protection, and a balance between work and home life that is fair to both men and women’.³ The International Labour Organisation (ILO) therefore promotes the goal of gender equality as a matter of human rights, social justice and sustainable development.⁴

After a period of rapid growth during the immediate post-war period in the late 1990s and 2000s, the Bosnia Herzegovina (BiH) economy suffered from economic stagnation during 2009 and 2010 - although not to the degree of many other European countries.⁵ Indicators showing negative developments in the areas of foreign direct investment, budget deficits, rising inflation and, in particular, ever increasing levels of unemployment, confirm this.⁶ Moreover, the banking system has been very conservative in providing the financial means for investments, thus slowing down the economy. Nevertheless, signs of recovery in this sector can be perceived and in 2011 the country may record slight growth.

Economic progress in itself does not automatically produce an improvement in terms of greater gender equality, and gender inequality continues to impact negatively upon the economic and social context of BiH. Unequal opportunities and treatment in employment, the gender pay gap, inadequate social services to balance women’s productive role, and their heavy household and domestic workload remain pervasive and persistent. There have however been some positive changes in women’s participation in the workforce such as legislation on gender equality, the legal prohibition of gender-based violence and harassment, and the institutionalization of gender mainstreaming in government offices.

There are big gender-gaps in the numbers of women and men in employment and economically active. More men are employed both in salaried employment and self-employment; fewer men are unemployed; and more men are able to find and retain a job.

¹ Bailyn, L. (2006). *Breaking the Mold: ‘Redesigning work for productive and satisfying lives.* Ithaca, New York: Cornell.

² ‘Decent Work’ is defined by the ILO as work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men

³ International Labour Office Geneva (2007), ‘ABC of women workers’ rights and gender equality’, (Second edition), p.92.

⁴ Ibid.

⁵ More information regarding the economic situation in BiH and European Union members is provided in the section 2.1, which analyses the economic situation in the country.

⁶ Friedrich Ebert Stiftung, 2010, ‘ Annual Review 2010 on Labour Relations and Social Dialogue in South East Europe: Bosnia and Herzegovina’, p. 2.

Factors contributing to this situation include insufficient child care facilities, an education system which reinforces the traditional roles of men and women, gendered labour roles, and a lack of resources and information on employment or self-employment opportunities.

Education levels are also significant. It is notable that there are a significantly higher proportion of women than men in BiH whose level of education stops at primary level, and people with primary education alone face more difficulties in finding and retaining a job. Education levels also appear to correlate with job security. Employees with higher education are the least likely to lose their jobs, followed by those with secondary education, with the most insecure being those with primary education.

In terms of addressing this situation, the legal and institutional frameworks which guide employment practices in BiH are largely in place. The government has passed a set of gender equality and labour laws which are in compliance with the international standards and public institutions have undertaken a series of measures to prohibit gender inequalities in the public and private spheres of life. The same can be said of the laws that regulate the labour market and employment procedures. No discriminatory practices are permitted by law and on the face of it, the government and public authorities take gender equality seriously, in terms of hiring procedures, issues related to discrimination in the workplace, parental obligations, and pension entitlements. Nevertheless, given the inequalities outlined above, there is clearly a gap between the legislation and its effective implementation.

This report looks at these issues in more detail and provides a detailed overview of the gender inequalities in the labour market in BiH. The first part of the report provides an outline of the current economic situation in country, followed by a review of gender equality and employment figures and the relevant legislation in each field.⁷ The impact and application of this legislation is also explored. The second chapter deals with the main reasons for the lower level of employment of women in the country. It addresses the lack of jobs, issues of work-family balance, the impact that lower education among women has on their employability, women's lack of assets to start their own enterprises, and the impact that the implementation of gender equality and labour laws have on their overall economic and social performance. It concludes with a short analysis of how traditional stereotypes are shaping the gender segregation of labour in BiH. Recommendations for each section are provided with specific attention to government institutions, trade unions and employers' organizations.

⁷ Where possible, data from 2010 is used throughout the report, as well as comparative data from previous years. This with the aim of providing a continuous perspective in changes that has accompanied the impact of gender inequalities in the labour market in BiH, However, due to the decentralized nature of the country's institutions – comprising of two entities Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS) and the Brcko District , and due to the complexities of institutional arrangements of responsible state organization, underdevelopment and lack of coordination between them, the official data sometimes are not sufficient and poor. Thus, this constrain is reflected in parts of the report.

1. The Historical Background

Bosnia and Herzegovina was in conflict between April 1992 and December 1995, when the General Framework Agreement for Peace in Bosnia and Herzegovina, also known as the Dayton Agreement, was signed. According to the agreement the state of Bosnia and Herzegovina (BiH) should consist of the two autonomous entities Republika Srpska (RS) and the Federation of Bosnia and Herzegovina (FBiH), with a third region, the Brčko District, governed under a local administration.

The process of transition to democracy has left little space for the realization of gender equality as an integral part of everyday life. It has in fact shifted the attention of public and institutional structures to what are considered more pressing issues, to the detriment of gender equality.⁸

After suffering as a result of the global economic crisis⁹, recession in 2009 has been replaced by a tentative recovery. Data from the BIH Directorate for Economic Planning, suggest Gross Domestic Product (GDP) grew by 0.8 per cent in 2010, and preliminary figures suggest 2.2% growth in 2011.¹⁰ While inflation has been reduced, the cost of living remains unstable as the price of food continues to increase.¹¹ BiH is, of course, not the only country to be affected in this way since the prices of food and other commodities have soared globally. The UN Food and Agriculture Organization (FAO)¹² fears this trend may continue to impact upon BiH. The average wage in 2010 was stable with an overall yearly growth of almost 1%. While moderate, such growth may still be seen as a sign of stability. Nevertheless, poverty figures remain significant, with 18.9 % of population living under the national poverty line.¹³

A detailed analysis of the effect of the economic crisis showed that during 2009 the country's economy experienced a strong decline in exports (13.9%) and investments (29.2%).¹⁴ These trends have continued to be present, with the market experiencing a very low level of foreign inflows and the banking system acting cautiously with regard to lending.¹⁵ While imports grew in 2010, and domestic consumption increased slightly, investments continued to decline. Since foreign banks comprise a substantial bulk of the banking system in BiH (Austrian and Croatian banks have a large share), the effects of recession in these countries are also felt in the BiH economy. The slow recovery in the European Union (EU) is also having a negative impact.¹⁶ Figures from the International Monetary Fund (IMF) show that during 2009 the economies of Euro area shrank by an average of 4.1 per cent.¹⁷ Almost all

⁸ Hasibovic, 2007

⁹ According to the Central Bank of Bosnia and Herzegovina, Quarterly Bulletin January – September 2010, after the positive growth moving around 6 per cent during 2006-2008, in 2009 it fell to -2.9 per cent.

¹⁰ Source: BiH Directorate for Economic Planning – Department of Economic and Fiscal Programme 2011 – 2013 and CIA World Fact Book, 2011

¹¹ CBBH, Quarterly Bulletin January – September 2010

¹² UN FAO press release 17.01.2011 by Abdolreza Abbassian, Senior Grains Economist.

¹³ World Bank, 2010, World Development Report 2010.

¹⁴ Department of Economic Planning, Government of BiH, 'Economic and Fiscal Programme 2011 – 2013', p. 4

¹⁵ Central Bank of Bosnia and Herzegovina (2010) Quarterly Bulletin January – September 2010

¹⁶ At the time of writing the report with the exception of Germany, other European Union member countries continue to suffer from the economic crisis. Both Greece and Ireland have accepted IMF loans, with Portugal, Spain and Italy seeing the prospect for bailout looming as a realistic option to save their shattered economies.

¹⁷ IMF World Economic Outlook, October 2010, For more detailed figures on the estimation of GDP, consumer prices, account balance and unemployment in the European countries, see Table 2.3, p. 94

EU member states registered negative GDP growth. This included also the main trade partners of BiH - Germany, Austria, Italy, Slovenia and Croatia.¹⁸

2. Employment Data

As can be seen from the table below (Table 1), the active labour force in BiH is substantially lower than the working age population and has been for some years. While the extent of the labour force has changed very little, the employment figures show a slight rise in 2009 in comparison to the previous year, yet stayed almost stagnant in 2010.

Table 1: Principal population characteristics by activity and gender in BiH, 2008, 2009, 2010

	2008	2009	2010
Total population (000)	3211	3129	3130 ¹⁹
Working age population 15-65	2649	2594	2597
Labour Force Total (000)	1162	1132	1158
Employment Total	890	859	843
Women	317	318	311
Men	573	541	531
Unemployment Total	272	272	315
Women	116	110	133
Men	156	163	183
Activity rate (%) Total	43.9	43.6	44.6
Women	31.6	31.9	33.2
Men	57.1	56.2	56.7
Employment rate (%) Total	33.6	33.1	32.5
Women	23.1	23.7	23.3
Men	44.9	43.2	42.2
Unemployment rate (%) Total	23.4	24.1	27.2
Women	26.8	25.6	29.9
Men	21.4	23.1	25.6
Registered Unemployment rate (%) Total	42.6	45.9	47.0

Source: Agency for Statistics of Bosnia and Herzegovina, *Labour Force Surveys 2010*

The data from the Labour Force Survey (LFS) 2009, suggests that the employment of women increased between 2008 and 2009, with a slight drop in 2010. The pattern is similar for men. However, it should be noted that women account for just over a third of the active labour force; and just under one-third of women of working age are active in the labour force. Most likely this can be attributed to the lower level of education, a lack of child-care facilities, as well as cultural factors and unequal labour market access.²⁰

The largest proportion of the working population in the country has completed secondary education. Of this group, there are more men than women in the workforce by a ratio of

¹⁸ For more detailed figures on these countries see CBBH, Quarterly Bulletin January – September 2010 Table: Economic indicators for BiH main trade partners, p. 18

¹⁹ Estimated on 30 June 2010, the total population of BiH was 3843. Source: Agency for Statistics of Bosnia and Herzegovina

²⁰ ILO, 2010, *Employment and Labour Market Dynamics in Bosnia and Herzegovina*, p. 12

almost two-to-one.²¹ Those with only primary education constitute a significant proportion of the inactive population, of which women form a significantly higher proportion (See Table 2 below).

Although people with higher education comprise 8% of the working age population, they constitute 15% of total employment figures and generally have a better chance of finding well-remunerated jobs. While marginally more men than women finish higher education, a higher proportion of working women have a third-level qualification. More research is needed on this, but a possible reason is that university educated women are more likely to accept jobs that their male counterparts may not.

Table 2: Share of the working age population by educational level and sex

Population aged 15+	<i>Primary</i>	<i>Secondary</i>	<i>Tertiary</i>	<i>All levels</i>
Working age population	42.7	49.1	8.2	100
-men	31.8	59.1	9.0	100
-women	52.9	39.6	7.4	100
Employed	20.3	64.3	15.4	100
-men	18.4	68.8	12.8	100
-women	23.6	56.5	19.9	100
Unemployed	21.2	71.2	7.6	100
-men	21.4	73.1	5.6	100
-women	20.9	68.7	10.4	100
Inactive	60.5	35.4	4.1	100
-men	48.4	45.0	6.6	100
-women	67.9	29.4	2.6	100

Source: Labour Force Survey 2010

According to the LFS 2010, the total rate of unemployment was 27 per cent. However it affected 26 per cent of men and 30 per cent of women. Thus, although the loss of jobs has had an effect on both sexes, men seem to be more likely to maintain their jobs or find another one more quickly than women. One explanation may be that in periods of economic crisis light industry and the service sector tend to suffer more directly and rapidly from the shrinking of the market, and women comprise the main bulk of employees in these sectors.²²

Table 3: Unemployed persons by duration of job search (percentage)

	<i>Men</i>		<i>Women</i>		<i>Both sexes</i>	
	<i>2009</i>	<i>2010</i>	<i>2009</i>	<i>2010</i>	<i>2009</i>	<i>2010</i>
Found job but still not working	1.0	0.7	0.6	0.4	0.8	0.6
Less than 5 months	7.5	9.2	8.0	7.1	7.7	8.3
6-11 months	8.9	9.7	7.2	8.4	8.2	9.2
12-23 months	9.8	10.0	12.1	16.1	10.7	12.6
24-59 months	21.6	23.1	25.1	21.9	23.0	22.8
60-119 months	23.5	20.4	20.4	20.8	22.3	20.6
120 months and more	27.6	26.9	26.7	26.7	27.2	26.2
Total	100	100	100	100	100	100

Source: Agency for Statistics BiH, Labour Force Survey 2010

²¹ See Table 5 below

²² Although this seems to be a tendency, more research is needed on this area.

Based on the data shown on Table 3 above, most of the unemployment in the country is long term.²³ This pattern is true for both men and women and it includes unemployment for categories of less or more than five years. However one notable feature is that more women than men have remained unemployed for between one and two years and there has been a 4% increase of women in this category between 2009 and 2010 – something not evidenced among men.

Also of interest is the data on people who have searched for job for between 24 and 120 months. While these figures for men tend to fluctuate from one year to the other, those for women remain stable. The likely cause is that the numbers of women engaged as unpaid family workers tends to remain stable. Faced with a post-war, economic and political transition, many women are assigned the role of unpaid family worker and there is little encouragement for them to change their employment status.

In terms of the overall labour market, services and industry are the main areas of employment. (See Table 3) Agriculture comes third but compared with 2009 has suffered a small decline.

Table 4: Employed population by sectors of activity and sex, 2010

	Female	Male	Total
Agriculture	22.8	17.9	19.7
Industry	16.4	39.5	31.0
Services	60.8	42.6	49.3
Total	100.0	100.0	100.0

Source: Labour Force Survey 2010

The service sector provides the main bulk of jobs in the country. More than half of all employed women work in the service sector while their participation in industry comprises less than one fifth. Men hold almost equal shares in those two sectors. The LFS 2009 estimated that out of the total number of women employees in the formal economy, 71 per cent worked in wholesale or retail trade, the education sector, healthcare, and social work. It is important to note that sectors of education, health and social work are, however, largely state-run and they generate and preserve jobs through public funding. There is low participation of women in the private sector, possibly due to it being incompatible with the demands of women’s family responsibilities. However, further research is needed to explore this issue.

Interestingly, as seen in Table 3 above, the number of women in the agriculture sector surpasses that of men by 5 per cent. There may be three reasons for this: Firstly, agriculture is less profitable due to the lack of infrastructure and modernization, and workers earn more by working in industry or other sectors; secondly, unemployed women and unpaid home workers get involved in agriculture as part of their unpaid labour duties or as a last resource for providing household incomes. Finally, as indicated in Table 4 below, 42 per cent of women involved in agriculture sector work part-time and only 25% of men.

²³ On the other hand, one must consider also that the unemployment data based on the LFS underestimate the under-employment – when many persons are employed in the informal economy and work on a temporary basis, or when self-employed persons work on the activities that do not require their full engagement. Cited from ILO, 2010, ‘Employment and Labour Market Dynamics in Bosnia and Herzegovina’, p.14

Table 5: Person in employment – full time or part time – by groups of economic activities and gender, BiH, 2010

	Total	Female	Male
Total	100,0	100,0	100,0
<i>Full time</i>	89.6	86.9	91.2
<i>Part time</i>	10.4	13.1	8.8
Agriculture	100,0	100,0	100,0
<i>Full time</i>	67.8	57.7	75.3
<i>Part time</i>	32.2	42.3	24.7
Industry	100,0	100,0	100,0
<i>Full time</i>	94.5	96.9	93.9
<i>Part time</i>	5.5	3.1	6.1
Services	100,0	100,0	100,0
<i>Full time</i>	95.2	95.0	95.4
<i>Part time</i>	4.8	5.0	4.6

Source: Labour Force Survey 2010

Based on the data from Table 4, apart from in industry where there is very little female employment, women are more likely than men to take part-time jobs. This is not an unusual trend and can be seen in many countries - since this option allows women more flexibility for balancing work and family responsibilities. However, as seen in other countries, working part-time presents fewer possibilities for career advancement.

Table 6: Structure of the working age population by activity and gender

	BiH		Female		Male	
	2009	2010	2009	2010	2009	2010
Employees	24.1	23.9	16.7	16.8	32.1	31.4
Self – employed	6.8	6.8	4.0	3.9	9.8	9.8
Unpaid family workers	2.2	1.8	3.1	2.6	1.3	1.0
Unemployed	10.5	12.1	8.2	9.9	13.0	14.5
Student	9.9	9.8	10.1	9.9	9.7	9.7
Housewife/home caretaker	16.3	14.9	31.4	29.0	0.0	0.0
Retired	16.4	17.9	11.0	13.0	22.2	23.0
Other inactive	13.8	12.8	15.6	14.9	11.9	10.6
Population 15+	100.0	100.0	100.0	100.0	100.0	100.0

Source: Preliminary results, Labour Force Survey 2009 & 2010²⁴

Almost one quarter of the working age labour force in BiH is involved in wage labour (See Table 5 above). However in both paid employment and self-employment there are approximately twice as many men as women. The figures also illustrate that reported unemployment among men is almost twice as high as women. This discrepancy needs to be understood in the context, however, of the far higher number of women who describe

²⁴ Agency for Statistics of BiH, preliminary results, Labour Force Survey (LFS) 2009 and 2010. These data were not included in the final versions.

themselves as housewives/careers.²⁵ This category accounts for almost one third of women of working age and represents a significant deficit for the country in terms of its potential labour force. The situation is similar in RS. If women do not find a job after graduating, they often choose to start a family and leave the paid workforce. Hence fewer are registered with employment offices,²⁶ and their status will therefore change from the category “unemployed” to “housewife” or “inactive”.

In BiH it is quite common for women’s role in the family to be considered as her primary responsibility. Household tasks are perceived to be a women’s obligation and take priority over paid employment.²⁷ This leaves them without any income, i.e. their social security fully depends on their immediate or wider family.²⁸ This level of inequality in family arrangements will undoubtedly need to be addressed if the country is to progress in terms of gender inequalities in employment.

The informal economy is very large in BiH, as evidenced in the discrepancies between registered unemployment figures and unemployment as defined by ILO.²⁹ It is estimated that almost one-third of all employed people do not pay pension or health insurance,³⁰ also indicative of a substantial informal economy. Depending on the source of data and methods applied, informal economic activity is estimated to account for 30-50 per cent of the country’s GDP.³¹

With regards to the gender pay gap, there was, in 2006, approximately the same number of male and female employed persons in the highest (over 2,500 KM) salary grade, likely reflecting the high numbers of women with higher educational qualifications. The numbers were also equal in the lowest (up to 200 KM) salary grades. However, the number of employed men was higher in all other salary grades, the biggest difference being visible in

²⁵ In this study the term “housewife” is used for this category, according to the labeling used in the Labour Force Survey. However, apart from the connotation that this term may carry, it will better if this category is merged with the unpaid family workers.

²⁶ Centre for Gender Equity and Equality in the Republic of Srpska, 2010, ‘Gender Equality in Labour and Employment in the Republic of Srpska’, p. 21

²⁷ See GEEP, 2003, ‘Gender Barometer Bosnia and Herzegovina’ (Published in Banja Luka and Sarajevo)

²⁸ According to the research ‘Socio-Economic Status of Women in BiH’ (Bakšid-Muftid et al, 2003), referred to in referred to in Centre for Gender Equity and Equality in the Republic of Srpska, 2010, ‘Gender Equality in Labour and Employment in the Republic of Srpska’, pp. 25-26.

²⁹ Unemployment is defined as follows in the Resolution concerning statistics of the economically active population, employment, unemployment and underemployment, adopted by the Thirteenth International Conference of Labour Statisticians (Geneva, 1982): (1) The “unemployed” comprise all persons above a specified age who during the reference period were: (a) “without work”, i.e. were not in paid employment or self-employment, as defined in paragraph 9; (b) “currently available for work”, i.e. were available for paid employment or self-employment during the reference period; and (c) “seeking work”, i.e. had taken specific steps in a specified reference period to seek paid employment or self-employment. The specific steps may include registration at a public or private employment exchange; application to employers; checking at worksites, farms, factory gates, market or other assembly places; placing or answering newspaper advertisements; seeking assistance of friends or relatives; looking for land, building, machinery or equipment to establish own enterprise; arranging for financial resources; applying for permits and licenses, etc. LFS 2010 estimates that the number of registered unemployment is twice as much as the one defined by ILO, 606.925 and 315.110 respectively.

³⁰ See ‘National Employment Strategy of BiH’ (draft), (Sarajevo: Department of Economic Planning, Government of Bosnia and Herzegovina, 2010)

³¹ Gorana Krstic and Peter Sanfey, ‘Mobility, poverty and well-being among the informally employed in Bosnia and Herzegovina’, (London: European Bank for Reconstruction and Development, 2006), cited in ILO, 2010, ‘Employment and Labour Market Dynamics in Bosnia and Herzegovina’, p. 12

the salary scale of 401-500 KM, where there were three men employed to each employed woman. Women were proportionately more present in the lower salary grades. The largest number of women in BiH earned 200-400 KM per month, while the largest number of men earned 300-500 KM. Overall; women were paid 46% of what men earned.³²

3. The Legal and Policy Framework

3.1. International commitments

The commitment of BiH to respect basic human rights stems primarily from the Constitution of Bosnia and Herzegovina, the Constitutions of its entities and the Statute of the Brčko District. Following the provisions of the Constitution of BiH³³ the state of Bosnia and Herzegovina and its entities, are required to ensure the highest level of internationally recognized human rights and freedoms. Article II of the BiH Constitution deals with non-discrimination; and states that ‘All persons ... shall enjoy the rights to freedom from discrimination based on race, color, sex, language, religion or creed, political or other opinions, and national or social origin.’³⁴

The BiH government has also ratified a number of relevant UN Conventions³⁵ which further represent both the commitment and the responsibility of the government with regards to its human rights’ obligations. Of most relevance is the Convention on the Elimination of Discrimination against Women (CEDAW) which BiH ratified in 1993. Subsequent to its ratification, the substance of CEDAW was integrated into the constitutions at national and entity levels.

The state of BiH has ratified a number of ILO conventions.³⁶ Significantly, the Labour Act of the Federation of Bosnia and Herzegovina, the Labour Act of the Republika Srpska, and the Labour Act of the Brčko District all incorporate extracts from the ILO’s Equal Remuneration Convention, 1951 (No. 100), and explicitly stipulate equal pay for men and women workers for work of equal value.³⁷ Excerpts from the ILO’s Discrimination (Employment and Occupation) Convention, 1958 (No. 111) which prohibits discrimination on the basis of sex (among other grounds) in employment, professional training, working conditions, and promotion, also constitute an integral part of labour acts in Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, the Republika Srpska, and the Brčko District.

Moreover BiH has also ratified the Workers with Family Responsibilities Convention, 1981 (No. 156); and the Maternity Protection Convention, 2000 (No. 183). Generally speaking the norm in BiH is for mothers to spend more time with children than fathers, and as discussed in the previous section, women still experience significant discrimination in the labour market. However, the fact that these ILO Conventions have been ratified lays a solid legal base from which the country can advance.

³² Economic Development and the Gender Wage Gap, Sherri Haas Illinois Wesleyan University, 2006

³³ Annex IV of the Dayton Peace Accord (DPA)

³⁴ OHR, Constitution of the Federation of the BiH

³⁵ United Nations Country Team in Bosnia and Herzegovina, “Common Country Assessment 2008”, p. 57, provides an updated list of all the conventions ratified in the country.

³⁶ See Annex 2 for a full list of ILO conventions ratified in the BiH.

³⁷ Open Society Institute, 2006, ‘On the Road to the EU Monitoring Equal Opportunities for Women and Men in Bosnia and Herzegovina’, by Nada Ler Sofronic, Ph.D., Branka Inic and Rada Lukic, p. 11

The overall legislative setting in BiH is complicated by the country's institutional make-up, i.e. three relatively independent entities. Nevertheless, in terms of substance it is generally in line with the legislative frameworks of other EU member countries. During the last decade, there has been considerable progress in promoting the ILO's Decent Work Agenda in BiH, which stipulates the implementation of four strategic objectives, with gender equality as a crosscutting objective:

- Creating Jobs – an economy that generates opportunities for investment, entrepreneurship, skills development, job creation and sustainable livelihoods.
- Guaranteeing rights at work – recognition and respect for the rights of working women and men. All workers, and in particular disadvantaged or vulnerable workers, need representation, and laws that work for their interests.
- Extending social protection – promoting inclusion and productivity by ensuring that women and men enjoy working conditions that are safe, allow adequate free time and rest, take into account family and social lives, provide for adequate remuneration in case of lost or reduced income and retirement, and access to adequate healthcare.
- Promoting social dialogue – promoting strong and independent workers' and employers' organizations is central to increasing productivity, avoiding disputes at work, and building cohesive societies.³⁸

The Decent Work Country Program (DWCP)³⁹ for Bosnia-Herzegovina 2010 – 2012 prioritized three areas, namely:

- Strengthen the capacity of government institutions and the social partners to improve the governance of the labour market at state, entity and district levels
- Measures to reduce the informal economy agreed upon and implemented by government in consultation with the social partners
- Improved social protection policy development

The DWCP does not make any explicit reference to gender equality and/or women's economic empowerment in respect of any of the priorities and is a gender-blind document. Nonetheless there is a solid legal framework in place to regulate labour relations in BiH. The labour legislation in all the entities, with the exception of the Law regulating the Civil Service of BiH, include a general commitment to the prohibition of discrimination on various grounds, including gender. They take into consideration all the aspects of employment and labour market participation with regard to equal participation, promotion, and an unbiased hiring process for men and women, in the public and private sector. The laws outline specific provisions with regard to parental leave, working conditions and working hours for women. Moreover for pregnant women there are specific regulations in respect of child care and maternity leave (See annex 4).⁴⁰

³⁸ In a shorter version, the ILO defines Decent Work as follows: "to promote opportunities for men and women to obtain decent and productive work in conditions of freedom, equity, security and dignity", Report of the Director General to the International Labour Committee, June 1999, Geneva.

³⁹ Decent Work Country Programmes have been established as the main vehicle for delivery of ILO support to countries. DWCPs have two basic objectives. They promote decent work as a key component of national development strategies. At the same time they organise ILO knowledge, instruments, advocacy and cooperation at the service of tripartite constituents in a results-based framework to advance the Decent Work Agenda within the fields of comparative advantage of the Organization.

⁴⁰ Labour Law in BiH, 1999, Articles 52-63

3.2. The Gender Equality Law

The Parliamentary Assembly of Bosnia and Herzegovina passed the Gender Equality Law (GEL) in 2003 (revised in 2010). The GEL forms the basis for the creation of a network of mechanisms and institutional structures for advancing gender equality at all levels of administration in the country.

The GEL is the most important mechanism for progress towards gender equality in the country. It prohibits discrimination on the grounds of sex and sexual orientation. It also promotes equal participation of women in areas where they are considered less advantaged than men, namely: education, economics, social security, health, sport, culture, public life, media, as well as labour and employment.⁴¹ The preamble to the GEL, similarly to other legislative preambles in BiH, provides for institutions at state, entity and provincial level. Provisions are also provided for Brčko District.⁴²

The GEL aims to increase the representation of women in public life. State and local institutions, political parties, public and private companies and other non-governmental/profit organizations are required to take all necessary measure to ensure that women participate and are promoted equally to men within all levels, including in management and decision making positions. As part of a thorough approach in the application of GEL, other laws and bylaws have been harmonized with GEL. For example the Law on Elections of BiH stipulates that at least a third of all registered election candidates must be of women. There are, therefore, substantial legal foundations for improving gender equality in the labour market in BiH.

3.3. The Gender Action Plan

The Gender Action Plan for BiH (GAP) arises from Article 23 of the Gender Equality Law, which obliged the government to create an action plan. As such, the GAP was created in 2006 and outlines a series of actions deemed necessary to facilitate greater gender equality in all major areas. The GAP has fifteen chapters. Three of those fifteen chapters are directly concerned with employment issues: employment and labor market, reconciliation of professional and family life, and macroeconomic development strategies.

In its analysis of the employment and labor market, the GAP found considerable limitations on women advancing through the labour market, namely:

- traditional understanding of a role of a woman in family and society;
- low levels of education and access to information among women in rural areas;
- men are more favored during recruitment;
- Difficulties for women in accessing credit due to high interest rates and lack of collateral.

The following was therefore planned for 2010 - 2013:

- Ensure that women entrepreneurs are at least 30% of beneficiaries of all credit lines (domestic and foreign funds) provided by the Government;
- Undertake research on self-employment in BiH with a gender analysis;

⁴¹ Article 2 of the Law on Gender Equality in Bosnia and Herzegovina

⁴² See Annex 1 for a detailed list of the Gender Equality Mechanisms in the country.

- Strengthen the capacities of women entrepreneurs through business education;
- Promote and organize public campaigns, with a view to raising awareness about women's access to economic resources.

3.4. Gender Responsive Budgeting

Gender Responsive Budgeting (GRB) receives significant attention in the GAP. A collection of international and regional documents have contributed to a more substantial understanding of the importance of budgeting to reduce inequalities. The process has produced several analyses of the potential benefits of GRBs, which are to be accompanied by awareness campaigns and lobbying towards making gender-budgeting a reality.

A commitment to gender budgeting also derives from the ratification of requisite international laws and conventions. More specifically, the Beijing Declaration and Platform for Action (BDPA),⁴³ states that:

The success of policies and measures intended to support or strengthen the promotion of gender equality and improving women's status, should be based on the integration of gender equality in the perspective of a general policy, which is related to all areas of society, as well as the implementation of positive measures with adequate institutional and financial support at all levels.

In more practical terms, the BDPA asks for the commitment of government institutions to ensure that the empowerment of women is facilitated through the adequate provision of human and financial resources, pointing to the importance of integrating gender equality into budgetary decisions.

3.5. Institutional Arrangements

The gender machinery is spread over three main institutional structures.⁴⁴ At the national level, the Gender Agency of BiH sits within the Ministry for Human Rights and Refugees of BiH and is the main body responsible for the implementation of Gender Action Plan in the country. In both Entities, two other structures facilitate this process – the Gender Center of FBiH and the Gender Center of Republika Srpska (RS). Furthermore there is a Commission for Gender Equality within the legislatures of each of the Entities. There are also Commissions for Gender Equality at Provincial and Municipal Assemblies and there is a Committee for Gender Equality in Brcko District.

The above-described complex legislative framework and institutional set-up results in significant gaps and areas of overlap. Quite often this results in parallel bureaucracies existing at different levels. Apart from local government institutions, all the other institutional levels of government are in one way or another involved in labour market issues. Overall, there are 14 different organizations responsible for employment services, and a further 13 which deal with the labour market policy.⁴⁵ Though all the organizations try to work together and coordinate their efforts, the result of this cooperation is not very clear in relation to gender equality. In addition, the scope of work and the mission of the different agencies are not clearly defined, resulting in an overlap with the work with counterpart organizations.

⁴³ This Declaration was adopted and signed by the BiH government at the Fourth World Conference on Women held in Beijing in 1995.

⁴⁴ See Annex 1 for a simplified view of existing Gender Equality Mechanisms in the country.

⁴⁵ European Training Foundation, 2006

Table 6: Main Labour administration functions in BiH

Labour Administration functions	MoC A	SEA	FBiH	RS	BD	Cantons
International representation	Yes	Yes	Yes	Yes	Yes	Yes
Monitoring and reporting on international conventions and agreements	Yes	Yes	Yes	Yes	Yes	Yes
Design of labour legislation	No	No	Yes	Yes	Yes	Yes
Implementation of labour legislation	No	No	Yes	Yes	Yes	Yes
Labour legislation enforcement	No	No	Yes	Yes	Yes	Yes
Terms of employment	No	No	Yes	Yes	Yes	Yes
Collective bargaining	No	No	Yes	Yes	Yes	Yes
Working conditions	No	No	Yes	Yes	Yes	Yes
Wages	No	No	Yes	Yes	Yes	Yes
Occupational health and safety	No	No	Yes	Yes	Yes	Yes

Key: MoCA: State Ministry of Civil Affairs, SEA: State Employment Agency. Source: EU CARDS Programme, Vertical Review of the Labour and Employment Sector on Bosnia and Herzegovina, 2006, op. cit. p.40

The arrangements within the Entities, however, present a more coordinated picture. In the RS there is a single ministerial institution responsible for the employment policy, and a number of smaller local agencies act in unison based on policy recommendations made by it. In the case of the FBiH, policy making is divided between the cantonal and federal level and the cantons have their own, largely autonomous employment services. In terms of direct services provided to the public, only the cantonal offices for employment in FBiH and the RS Employment Bureau deal with such arrangements.⁴⁶ Similarly, labour inspectors operate at cantonal level in FBiH and through the Employment Bureau in RS.

3.6. The Social Partners

There is a number of workers' organizations active throughout the country. Many of these are well organized and structured into federations, and most fall under the umbrella of the Confederation Trade Unions of Bosnia and Herzegovina. However there is low Trade Union membership and participation among workers (both women and men) which tends to weaken the impact of their activities. According to UNDP, only 3.9 per cent of the respondents in their survey on civic engagement were members of a trade union.⁴⁷ The Employers' Association of Bosnia and Herzegovina (Asocijacija Poslodavaca Bosne i Hercegovine) acts as an umbrella body for a range of employers' organizations throughout the country and it cooperates with international partners, including the ILO, Business Europe, and the EU to foster a more integrated economy between the two Entities and Brcko.

Economic and Social Councils are operational in both Entities, in Brcko, and in some cantons. They also facilitate the processes of social dialogue and collective bargaining between public authorities and the social partners, including on economic and social issues,

⁴⁶ European Training Foundation, 2006

⁴⁷ UNDP National Human Development Report, 'Social Capital: The Ties that Bind: National Human Development Report', 2009, p.62

legislative decisions in the area of labour policy, arrangements regarding wages and social protection, working conditions, and analyses of the labour market.⁴⁸

3.7 The Implementation of the Legal and Policy Framework

Despite the GEL and the various institutions outlined above, the indicators on gender equality in the workplace are mixed. Firstly, the GEL is not accompanied by all the requisite secondary legislation, nor supported by the necessary infrastructure and resources.⁴⁹ This results in a lack of harmonization among different legal procedures, and different institutions being mandated to do the same thing. The mechanisms in place at different levels (State, Entity, Canton) need to vastly improve their cooperation and information sharing. Currently this is the function of parliamentary committees for gender equality, whose task it is to bring together the various institutions. Although this is now regular practice, the capacities of the parliamentary committees remain low and consequently the entire burden of proposing harmonization and/or amendments to legislation rests with the gender machinery, with little action being taken by the people with the actual power to bring such proposals into effect.

Women's representation in the public sphere still remains low in BiH. They hold fewer positions in decision-making hierarchies, in both state and entity governments. The 2004 Shadow Report on the Implementation of CEDAW⁵⁰ stated that:

BiH has never had a female member of the tripartite presidency, which serves as the country's head of state. Nor has a woman ever served as a prime minister, and to date, only one woman has served as a government minister. [...] Neither of the entities has ever had a female prime minister, nor has a woman ever served as a deputy of a president or prime minister at the entity level. There are generally one or perhaps two women ministers in entity governments at any given time, out of a total of 16 (in the RS) or 17 (in the FBiH) ministries. Further down the state structure, men have dominated as presidents in all of the 10 cantons in FBiH, and among 100 cantonal ministers, there have only been eight women. Still, those women have served in the stereotypical "women's ministries" that cover residential and housing issues, social welfare and health, and labor and education. The status of women in the executive is limited by evident discrimination in political appointments at all levels. Similarly, gender-based discrimination is present in all public administrative structures throughout the country. This discrimination is extended, deepened and maintained by the appointment of men to top management posts in state-owned companies and management boards that represent executive bodies within the economic sector. Such evident discriminatory attitudes against women in political and public life are reinforced by discrimination against women within their own political parties, as well as traditional public attitudes perpetuating a view that there are no capable women who are willing or capable of performing essential tasks within key government posts.

⁴⁸ Social dialogue or tripartite dialogue is defined by the ILO to include all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy. It can exist as a tripartite process, with the government as an official party to the dialogue or it may consist of bipartite relations only between labour and management (or trade unions and employers' organizations), with or without indirect government involvement. See Decent Work Country Programme for BiH, 2008 – 2010 for more information on tripartite dialogue in the country, page 6.

⁴⁹ This is especially the case for the domestic violence and harassment cases.

⁵⁰ Shadow Report on the Implementation of CEDAW and Women's Human Rights in Bosnia and Herzegovina, January 2004.

Unlike their male colleagues, women in high-level posts in executive bodies also generally lack entitlements or sufficiently independent space to make their own independent decisions. They are often limited to serving as executors of their party's policies.

Women are underrepresented in public life. While GEL promotes equal participation and promotion in all areas of public life, there is lower level of participation of women in the political parties, which of course feeds into the imbalance among public representatives. While there has been an increase in the number of women with positions in public institutions, they are chiefly to be found in lower levels of the bureaucracy than men. As of November 2011, 9 out of 42 representatives in the House of Representatives were women,⁵¹ and in the House of Peoples, 2 out of 15.⁵² In the Council of Ministers, there were 9 men ministers and no women.⁵³

Women's lack of economic power is directly correlated with their lack of political power, as in addition to their low political representation, their exclusion from the top jobs in the most profitable sectors restricts their influence in policy and decision-making bodies.⁵⁴ While some efforts have been made in the public sector to encourage and facilitate the greater participation of women in the labour market, this is less so in the private sector.⁵⁵ For example, there has never been a women on the Board of Directors of the Chamber of Commerce of BiH.

Despite the robust legal framework there are some factors that can be identified as important for women's unequal participation in public institutions. Of these, the so-called 'glass ceiling' is seen as very important. The term is used to describe the invisible and artificial obstacles that women face in their efforts to progress in the hierarchy of employment, created by deep rooted stereotypical attitudes, beliefs and prejudices, which impede women from holding senior positions. The glass ceiling may occur in the workplace or in politics, and it is considered a reflection of social and economic gender inequality in a given country.

With the achievement of educational parity and changes in social attitudes towards men's and women's roles, it had been somehow assumed that women would quickly move up the career ladder. This has proved hard to achieve and no more so than at the top, where the prevalence of male executives tend to perpetuate the glass ceiling and where women often find themselves without the right mix of corporate experience required for senior executive positions.⁵⁶

Although, formally, hiring procedures are very clear and do not allow or support discrimination, much informality occurs in the process. In the case of public servants there are no clear procedures for the assessment of performance which means that promotions quite often are made based on preferential treatment. Other informal procedures include the use of personal connections and *stela*.⁵⁷ In many cases the discussion of work related issues takes

⁵¹ <https://www.parlament.ba/sadrzaj/poslanici/p/Archive.aspx?m=2&langTag=en-US>

⁵² <https://www.parlament.ba/sadrzaj/poslanici/d/Archive.aspx?m=2&langTag=en-US>

⁵³ <http://www.vijeceministara.gov.ba/ministarstva/>

⁵⁴ Ibid

⁵⁵ Ibid.

⁵⁶ Linda Wirth, Breaking through the glass ceiling. Women in management. ILO: Geneva, 2001.

⁵⁷ According to Prof. Marina Katnić-Bakaršić, PhD, Faculty of Philosophy, University of Sarajevo" the noun *štela* ... means 'a set up' or 'connection'. To say someone has a *štela* to get to university or get a job means that s/he has a connection and the potential competition is 'a set up'. The word and its derivatives have a less negative

place outside the institutional context in informal contexts, as mentioned above. Although by law sexual discrimination is prohibited in the workplace, cases of sexual discrimination often go unreported. Women who experience discrimination are more likely to quit or change their jobs rather than report the case to the responsible institutions.

In other cases, employment may require considerable levels of mobility, meaning time spent outside the office and away from the family. Women are less likely to apply and get hired for these positions. The reasons again lie in the traditional roles which suggest that women must spend more time with children, closer to home. This belief is common among both sexes. Parenthood therefore has an impact on the employment rates of women and is considered one of the main reasons for the withdrawal of women from the labour market after the completion of university degrees. Women, particularly in their 20s or 30s are often asked during interviews whether they are married or if they have or plan to have children. Even if the question is not posed directly other related questions are used, such as whether they have family obligations or if they can travel and spend time outside the office.⁵⁸ The lack of facilities for child care constrains women's ability to fully pursue their careers. Most prefer to have a job that doesn't require long working hours; travelling abroad or within the country and that can provide a relative degree of flexibility.

In the private sector the picture is even less promising. Many problems are evident when it comes to discriminatory practices, despite the legal framework. This is partly because the gender machinery's power of implementation doesn't seem to be fully extended to the private sector. The following excerpt was taken from the results of a focus group survey carried out in 2009⁵⁹

Participants said that high unemployment rate was generally one of B&H problems and that it equally affected men and women. However, after being presented with facts about significantly higher unemployment levels among women than among men, they started talking about a number of limiting factors for employment of women. The most important of the above factors is possible pregnancy of female workers. Participants agreed that legal mechanisms for protection of pregnant working women and their right to maternity leave were relatively good, but they said that the general situation in the country (including inconsistent application of laws and failure to sanction disobedience to law) enabled employers' to manipulate workers, including blackmailing⁶⁰ through jobs, thus putting women in an unfavorable position.

Although all the circumstances outlined above are against the law, there are no effective control mechanisms in place such as inspections to ensure implementation of these laws.⁶¹ The policy recommendations from government and the gender mechanisms are not accompanied with the appropriate infrastructure, specific regulations, and specific legal

connotation than the word 'corruption': they are 'softer' and more connected to private than to public discourses, although increasingly common in public discourse." Cited in UNDP National Human Development Report 2009, Social capital in BiH: The Ties that Bind, p. 73. See for more detailed definition on štela

⁵⁸ USAID –Sida 2010, p.14

⁵⁹ Prism Research for UNDP NHDR 2009, unpublished

⁶⁰ For instance, women on fixed term contracts have said they would inform the employer about their maternity leave and that they would be blackmailed to come back from their maternity leave earlier (than the 6 months guaranteed by law) in order to have their contracts continued.

⁶¹ Centre for Gender Equity and Equality in the Republic of Srpska, 2010, 'Gender Equality in Labour and Employment in the Republic of Srpska', p. 73.

provisions for gender discrimination in the judicial system and more importantly legal actions. There are no labour inspectorates at the state level, and the federal labour inspectors often lack training in recognizing and prioritizing gender discrimination.⁶² These actions would contribute to a broader understanding of gender discrimination and how to avoid it, as well as in raising awareness of gender equality in the labour market and the workplace.

4. Socio-economic Issues

4.1 Perceptions of the role of Men and Women in the Labour Market

It is still quite common for gender equality to be conflated with ‘women issues’ in BiH, as indeed is the case in many parts of the world. This may be a legacy of earlier theoretical approaches that put the emphasis on women’s rights and their need to get more involved in the development of the country, known as the Women in Development (WID) approach. The contemporary approach to addressing gender inequalities is that of dealing with both men and women at the same time, known as Gender and Development (GAD). GAD focuses on analyzing the roles and responsibilities that are socially assigned to women and men, the social relations and interactions between women and men, and the opportunities offered to one and the other. The GAD approach defines gender and the unequal power relations between women and men as essential categories of analysis and works holistically to make such relations more equal.

The issue of women’s economic exclusion must be considered against the backdrop of stereotypes and entrenched viewpoints concerning the roles of men and women in BiH. Women are expected to be good mothers and housekeepers, and men are expected to work and to provide a financial base for the family. This division of roles and responsibilities are mirrored in workplace relations.

The LFS also shows that almost one third of women stay at home and care for the family, while virtually no men do. It is also of interest that they are not defined as unpaid family workers, but belong to a different category. Traditionally in BiH, women have been encouraged to stay at home and look after household duties and children. Men have always been encouraged to go out and seek for work in order to support their families. Failure to succeed in these designated tasks is considered as a failure to fulfill their appointed role in the society. Social customs heap humiliation and sanctions upon men who do not achieve this status. Similarly, women who do not provide appropriate care and attention to their family obligations are given the same treatment. The origins of these roles may be traced in the early socialization of boys and girls. Apart from the family itself, school plays a crucial role in practicing and reinforcing these roles. Thus, the whole social and educational environment provides traditional messages for children regarding gender roles. These models then are reflected in the way that boys and girls, later men and women, see themselves.

The consequences of these traditional models are also felt in terms of employment, and more importantly in terms of the dependency of women on men. Though it is difficult to generalize regarding the division of labour in the family, some conclusions can be drawn based on empirical and statistical evidence. If a woman chooses not to work, that is considered normal

⁶² UNIFEM, 2007, ‘Accountability for Protection of Women’s Human Rights Implementation of Women’s Economic Rights with a Narrower Focus on Gender in Relation to Labor and Economic Issues’

as long as the husband provides enough for the family. Quite often, young women with good career prospects quit their jobs when their marital status changes or when children are born. It may be that this is their personal decision; however, it may also be argued that pressure from the wider family or wider society also contributes.

During the process of collecting data for NHDR 2009, some interesting insights came to light. They provide an excellent anecdotal illustration of the current situation of women and employment. The report on focus group research stated that:

Despite older participants' claim that the employment of women and their equal treatment had been legally regulated under the old system and that these issues returned to the spotlight only in late 1990s, it is obvious that gender role stereotypes still prevent women from finding work. Some jobs are considered inappropriate for "respected/moral" women (like jobs in bars and cafeterias) and participants were unsure how would their community react if they accepted them. Besides, women can hardly get hired for what are traditionally believed to be male jobs, that is, jobs exclusively for men (on ships, at construction sites, etc.) so even when women have all the skills and qualifications required for such jobs they are not expected to work in male-dominated working environment or on jobs requiring physical strength.⁶³

The differences between women's and men's employment in BiH follows the same kind of gender segregation as elsewhere. As mentioned earlier in the report, the education profiles of both sexes differ considerably. Men tend to be more often trained in technology and science, usually much better paid, while women are more likely to be drawn to the fields of the humanities, 'caring professions' and teaching, which pay considerably less. Looking briefly at this pattern it may be that their choice of education is based in their earlier socialization of their gender roles. For example, supposed inferiority of women with regard to physical strength and mechanical aptitude has long justified their exclusion from skilled manual work. The sex-typing of jobs reveals that these are often based upon socially constructed images, while the pay gap adds a further level of inequality.

Lower pay for 'women's' jobs than 'men's' professions is prevalent in both the formal and informal sectors, albeit larger in the latter. Most women in BiH are employed in lower paid businesses, such as services, e.g. catering, agriculture, handicrafts, administration, health, education, culture and sport.⁶⁴ Even though there is little difference in weekly work-hours (with those in formal employment working slightly longer), the formal economy has a substantial earnings premium - about 30 per cent - compared with the informal economy.⁶⁵ More than 10 per cent of the women are registered as unpaid family workers, while the number is only 2.5 per cent for men.⁶⁶ The resulting inequalities can also be seen in differential power relations exercised between men and women in the household as well as in the society in general. New policy initiatives aim to reform the labour market environment by encouraging more women to enter the formal market, for example micro-credit programs as the one initiated by the organization MI-BOSPO for women entrepreneurs.⁶⁷

⁶³ Prism Research, 2009

⁶⁴ LFS 2009. Respective data for 2010 are not available yet at the time of writing this report

⁶⁵ ILO, 2010, 'Employment and Labour Market Dynamics in Bosnia and Herzegovina'

⁶⁶ LFS 2010.

⁶⁷ <http://www.mi-bospo.org/index.php/en>

The stereotypes about typical male and female professions are also deeply rooted in society, with female dominated occupations being the least respected. For example a study in 2001 found that being a cleaner has a low status, while occupations such as bricklayer, lathe operator and truck driver, which are typically male dominated occupations, have significantly higher status. This may however be explained with the lack of training required for the profession of cleaner, in contrast to the male dominated occupations.⁶⁸

4.2 Work-family Reconciliation

In many countries, time-use data shows that women work significantly more hours per day than men. BiH is no exception. Although there is no recent data on the numbers of hours spent by men and women in productive and/or earning activities,⁶⁹ there are strong indications that women, especially those in rural areas, tend to spend more time in paid and (mostly) unpaid activities combined. This limits their ability to engage in other income-generating activities and community activities.⁷⁰

According to widespread norms in BiH, women with a lower level of education tend to stay at home until they reach a 'marriageable age'. When they leave the family little is expected to change due to the expectations the new family likely has about their future position in the household. Thus, their level of education can be seen as having already contributed to their future status. This situation is more common in rural areas rather than in urban. In urban areas more women tend to finish secondary school. This is a result of more flexible norms and values with regard to women's roles and behaviour. The result is that women in urban areas are more likely to find a job although they still represent lower numbers in the labour force than men.

There is a vicious circle at play: gender inequalities contribute to an increase in poverty due to women's inability to participate in income-generating activities, while the state of being in poverty itself reinforces gender inequalities. Gender differences are then reproduced in terms of access to education, and to further qualifications, and sometimes to health care, with boys sometimes receiving preferential treatment.

In BiH, the incidence of poverty among households where the head of household is unemployed is almost twice as large as among households where the head of household has a job. However while employment may be necessary to escape poverty, it does not always suffice. In BiH there is a deficit of not only employment, but of productive employment and decent work.⁷¹ There are a number of correlations between poverty and household characteristics. Firstly, while only 10 per cent of the one-member-households and less than 15 per cent of the two to three member households live in poverty, almost a third of the households with five members or more in BiH are poor.⁷² Overall, the poverty incidence is

⁶⁸ The research 'Unemployment and the Socio-Economic Status of Women. The Case of Bosnia and Herzegovina (Pavlović, Vuković and Hasid, 2001), as referred to by the Centre for Gender Equity and Equality in the Republic of Srpska, 2010, 'Gender Equality in Labour and Employment in the Republic of Srpska', pp. 19-20.

⁶⁹ Household budget survey's most recent data are those of 2007, which show considerable discrepancies in terms of continuation, with the data collected in 2004.

⁷⁰ Although no research has yet been conducted to support this argument, the authors' experience in workshop training exercises to identify women's role in daily tasks at all levels (government, non-governmental members and beneficiaries) have as a rule shown that women of all ages spend more hours of work per day, with the hours of unpaid house work being the reason why women's total work hours exceed those of men.

⁷¹ ILO 2010, p. 6, 7

⁷² LFS 2009, no data available for 2010

lower in female headed households than in households headed by men, but this is most probably due to the fact that female headed households tend to be smaller and the fact that majority of female-headed households are headed by war widows who receive regular government cash and other benefits.⁷³

In comparison with the previous socialist system, where universal child care facilities were provided by the state, there are few public crèches/kindergartens, with infants and babies largely in the care of relatives. Several pre-school child care facilities are organized by private actors or religious congregations, but local authorities normally contribute financially only to the public ones.⁷⁴ Throughout the country the number of child care facilities is low, and they are inaccessible to families with low socio-economic status as the facilities are too expensive.⁷⁵ There are some public institutions, which are more affordable. However the waiting lists are very long.⁷⁶

The lack of accessible and affordable child care facilities obliges mothers to stay home with the child(ren), sometimes until they reach school age. Either that or the support of other female extended family members is required. This contributes further to the level of inactivity. Women also tend to have primary responsibility for providing care for elderly people, often in-laws or relatives of the husband. Social services provide little help and sometimes are not accessible, particularly in rural areas.

In the Federation of Bosnia and Herzegovina, which consists of 10 Cantons, there are 4 cantons where maternity leave is not paid and 6 cantons where maternity leave payment ranges between 50% and 90% of earnings; in the Republika Srpska and in the District Brčko maternity leave can be fully compensated for 12 months.⁷⁷

Parental leave, though envisaged by the Labour Law 1999 (see annex 4) for both parents after the child is one year old, remains an exclusive arrangement for women. There are no cases reported in which parental leave has been denied to a mother. There is no data on whether or not men are keen to take parental leave when a child is born. While for the public sector this is regulated by law and is applied according to the regulations, it may be argued that the employers in the private sector are more reluctant to continue the working relationship with a new mother or to consider them as potential applicants for new positions (See Box 1 and 2 below). In this situation, women who previously have had a good start to their career, start to have gaps in their employment, thus making it more difficult for them to re-enter the labour market if they choose to do so.

⁷³ Household budget survey (2007b: 26-27). Cited in ILO 2010

⁷⁴ NGO Report on Monitoring the Rights of the Child at the Local Level, March 2011.

⁷⁵ Ibid

⁷⁶ Ibid

⁷⁷ Council of Europe, 2009, 'Family Policy in Council of Europe Member States'

When it comes to gender-specific violations of the workers' rights, it can be concluded from the data of the Confederation of Trade Unions [of the Republic of Srpska] that the following rights are most frequently violated:

Protection of women and maternity: From employers' point of view, a pregnant woman cannot perform tasks and pregnant workers are often dismissed under the veil of redundancy, on economic and technological grounds or due to inability to perform work. Dismissals may be given without any notice as soon as the employer learns that an employee is pregnant. Thus the employee becomes injured in many ways: as a worker who decently performs her duties, as a woman due to her gender identity, as a mother whose subsistence as well as the subsistence of her child is jeopardized. The situation is even more difficult when it comes to workers who hold fixed-term contracts with duration of up to two years. All that time, woman employees are in fear of getting pregnant because they know that they will lose their job by expiry of the contract, while the employer does not bear any consequences.

Maternity leave: It often happens that employers invite women employees to return to work before the end of maternity leave. In that way they get free labour force, because during maternity leave the costs of salary compensation are borne by the Fund for Child Protection. The women workers agree to return to work because they are afraid that, if they do not act as instructed by the employer, they will be dismissed after expiry of their maternity leave.

[...]

Source: The Centre for Gender Equity and Equality in the Republic of Srpska, 2010, 'Gender Equality in Labour and Employment in the Republic of Srpska', pp. 69-70.

4.3 Levels of Education

The impact of differing educational levels between women and men is covered in Section 1.3 of this report. However the urban-rural divide requires explanation. There are large differences in the education levels between women in urban and rural areas.⁷⁹ Urban women tend to have almost twice as many years of education than their rural counterparts.⁸⁰ Girls in rural areas spend more time on unpaid household activities than boys and girls are required to skip school classes to help with cleaning, cooking, farming, taking care of younger siblings, and carrying out other duties within the household. In addition, girls are expected to be involved in agriculture or other seasonal activities that may provide some income for their families. In general rural men have better education outcomes than rural women, while women in urban areas appear to have roughly the same levels of education as men.⁸¹

⁷⁸ The text is copied from the source document.

⁷⁹ The World Bank estimates suggest that, although the rural population is shrinking, it is still slightly higher than the urban one. The differences though are not very striking and the trend is that the urban population is going to grow quickly, also due to economic, social and employment trends in the country, with urban areas requiring and accommodating more of the labour force than rural ones.

⁸⁰ See Annex for detailed data.

⁸¹ Since girls in rural areas tend to get less education it is crucial to understand some of the reasons for that. Unfortunately, very little research is done with respect to this, and the available analyses have not gone to depth

The school infrastructure plays an important role for women in rural areas. Sometimes students must travel for a considerable amount of time to get to their school. Given the mountainous nature of much of the countryside of BiH, the route may include difficult or dangerous terrain. Roads may be difficult to pass and transport to and from school may be insufficient. These circumstances sometimes encourage the decision to interrupt girls' education. On the other hand, for boys in the same situation it is more likely that they may be encouraged or allowed to go to school despite difficult travelling conditions due to different notions of masculinity and manhood, in which it may be considered a necessary framework for them to learn the difficulties of life.

The school environment may also play a role in the encouragement or discouragement of girls to pursue their education. Gender stereotypes may be exacerbated through the learning and teaching process. With the support of UNICEF, a Gender-Impact Analysis of the Textbooks used in Primary Schools in BiH was undertaken in 2009.⁸² The results showed that the textbooks perpetuate the gender stereotypes about men, women and their social roles. Quite often these textbooks portray stereotypical and traditional roles for women and men and thereby encourage the children to follow these roles. The examples used, the illustrations and the way they are presented reinforce gendered behavior among pupils. Combined with the models that children may be exposed to in their home environment these practices act as points of reference for modeling their future behavior. Further analyses undertaken in the same study show that stereotypical representation of gender roles still present in many classroom practices in schools and that teachers sometimes reinforce traditional norms and values through their own behavior.

The data shows that women with higher education compete on equal terms with men for employment. Although promotional initiatives for women are not at the same level as men, figures suggest that this category of women has far better chances of being employed in a high level job which provides sufficient earnings for themselves as well as for the family. Among employed men, 19 per cent had primary school education or less, 70 per cent had finished secondary school, and 11 per cent had higher education. Among the employed women, 23 per cent had primary school education or less, 60 per cent had finished secondary school, and 17 per cent had higher education.⁸³

In conclusion, the big variations in employment rates between different educational attainment groups and between men and women, point to the significance of education and skills in the competition for jobs and access to the labour market. They further suggest that the importance of education for accessing employment is considerably greater for women than for men. Therefore, low levels of education among a large part of the working age population prove to be a major constraint on their ability to access employment, but even more so for women than for men.

BiH has gone through fundamental social and economic transformation over the past decades. Such transition necessitates a highly flexible labour force that is able to adapt to the changing market needs, especially in view of the prospect of EU accession. A system of lifelong learning is vital for the continuous adjustment of the human resource base to the

to find the cause of this phenomenon. Therefore, this analysis is mostly based on research compiled in countries similar to BiH, and some of the remarks include personal empiric evidence of the author.

⁸² See UNICEF, 2009, "Mapping Inclusive Practices in Primary Education, Bosnia and Herzegovina".

⁸³ LFS 2010

changing needs of the labour market, as modern market economies require a very different set of professional skills and competences across all sectors than the previous socialist economy did. In order to develop the human resources base in BiH the delivery and coverage of the educational system must be improved. Secondary education and vocational training need to be adjusted to the demands of the economy and to the labour market. Investment in human capital, especially girls' and women's education and health, has been shown to raise the overall level of productivity in other contexts. Moreover, educated women give greater emphasis to the schooling of their own children, thereby improving the productivity of the next generation.⁸⁴

4.4 Control over Assets

In BiH the period of post-war transition to a market economy has been characterized by privatization, a decrease in production, and the failure of a large number of enterprises. Despite such an environment, there has been a considerable increase in the number of small and medium size businesses. However, the financing of businesses continues to be a problem, and large businesses take most of the share of investment lending.

According to the LFS 2010, around 10 per cent of working men and 4 per cent of working women are self employed. Entrepreneurs (women and men) tend to lack information and access to information, including how to start an enterprise, training on how to run a business, procedures on how to register a business, risks and opportunities for entrepreneurs, as well as information on how to obtain a government or private grant or loan.

BiH does not provide a 'friendly' environment for small enterprise. The UNDP National Human Development Report for BiH 2009 suggests that opening a business in the country requires more working days than any other country in the region.⁸⁵ The regulatory and legal framework overseeing competition, investment transactions, contractual laws and regulations, taxes, property rights and procurement procedures affects all enterprises. Nevertheless, women entrepreneurs do face extra challenges. Ownership of property (a major form of collateral) is traditionally ascribed to the husband, although the government has simplified and made free the process of ascribing it to both partners.⁸⁶ This then makes it difficult for women to successfully negotiate a loan. Some women have managed to secure loans from micro-credit institutions. However the interest payments tend to be higher, thus leaving less money for reinvestment.

Based on a model deriving from old traditions of doing business in the developed world, most of the business transactions take place during recreational activities, on the golf court, spas, or more often for the BiH context, during dinners and long drinking sessions. Women entrepreneurs in BiH often have limited access to these circles. However, some positive trends can be seen. Between 2005 and 2008, 215 women applied for grants from a project on increasing women's entrepreneurship provided by the development ministries, and 88 (41 per cent) of them had their applications approved.⁸⁷

⁸⁴ Ibid

⁸⁶ USAID – Sida 2010

⁸⁷ Ibid

5. Conclusions

Employment trends in BiH show that women have been and continue to be employed less than men. The overall figures for unemployment have increased during 2010, and the country's slowdown in terms of economic growth might further marginalize the issue of gender equality in employment. The effect of not recognizing gender equality as a priority is translated into the failure to use the potential workforce to its full capacity. Some of the barriers that women face in terms of full employment are related to the unequal distribution of labour in the family, fewer opportunities and lower levels of encouragement to pursue their education, discriminatory procedures in accessing assets, a lack of appropriate enforcement of legal regulations and the impact that traditional norms and values in society have in restraining them from improving their employment position.

Women in general, especially those living in rural areas, suffer from the lack of appropriate social services to enable their participation in the labour market. While child care facilities are not sufficient anywhere in the country, those that exist are concentrated in urban areas. In addition, the fees charged for childcare may discourage many families from making use of them. In addition, women do not have access to information on employment opportunities which would allow them to fully participate in the labour market. As a result, they are more likely to spend time carrying out unpaid activities within the household such as helping with the farming, upbringing of children or taking care of elderly people.

Lower educational attainment is also responsible for fewer opportunities for women in employment in BiH. This is, again, something which affects women in rural areas more than in urban areas. There is often more encouragement from families for boys to further their education. Stereotypical gender roles are reinforced in the school environment through textbooks and sometimes through teaching practices. School authorities are often not sensitive to gender inequalities and, while not necessarily deliberately, they may fail to identify discrimination based on sex.

The Gender Equality Law, 2006 as well as the Labour Law, 1999 provide explicit provisions for prohibiting discrimination based on gender in all areas of public and private spheres, including employment procedures. However, significant problems can be identified in the lack of implementation. While women's participation in the labour market has increased, they are more likely to be in lower paid jobs with less responsibilities than men. Women hold more junior positions in public institutions, they are underrepresented in political parties and they are not promoted at the same rate as men. Women employed in the private sector are more likely to suffer from discriminatory practices and greater instability in their employment. They are paid lower wages than men⁸⁸, they experience contract related problems and have little information about their rights. Labour inspectorates pay insufficient attention to the reinforcement of labour regulations, thus leading to an increase in informal sector participation.

The attempts of women to overcome these hurdles through developing small and medium enterprises are often met with procedural, institutional and social difficulties. Women find it difficult to access financial institutions or governmental funds and grants. A lack of collateral

⁸⁸ According to UNDP estimates, women earned less than half of what the men did in 2003 and 2004. UNDP Bosnia-Herzegovina, National Human Development Report, "Social Inclusion in Bosnia", page 77.

and difficulties with property titles which more often belong to men pose further obstacles in attaining financial support.

Finally, society has different expectations for men and women in fulfilling their social roles – men are assumed to be the breadwinners and women are expected to be care givers. Deviation from these roles is not encouraged, and traditional norms and values are very clearly proscribed. This limits the ability of women to enter the workforce and may also contribute to a higher level of poverty in the household.

Recommendations

- A significant number of the conclusions drawn in the report rely on secondary sources or are based upon insufficient statistical data. For this reason many of the findings have had to be qualified. More research is required on all of the areas outlined above. This could take the form of the following:
 - Creation of more sex-disaggregated and gender-responsive data, in particular in relation to hiring practices and discrimination against women in the labour market and wage differences between men and women;
 - Statistical analysis of existing data on the labour market from a gender perspective;
 - Primary research on the relationship between educational attainment and employment opportunities;
 - Primary research on the relationship between family responsibilities and employment opportunities
 - Statistics on how BiH provides equal pay for work of equal value (ILO Convention No. 100)
- To ensure that the Gender Equality Law and Gender Action Plan are fully and equally implemented across the country, the institutional gender machinery, and the different labour and social protection regulations could be harmonized between RS, FBiH and BD.
- The relevant state and entity institutions could, together with trade unions and employers' organizations, consider introducing affirmative action policies to increase the number of women in the work force, such as quotas in boards and management, mentoring programs.
- Awareness raising and behavior change activities, combined with training on gender equality could be undertaken targeted at various groups. Activities could include:
 - Awareness raising of government, employers and trade unions on the legal framework and its implications for public sector and private sector, particularly with regard to transparent and equal hiring practices, gender discrimination in job advertising and interviews and discrimination in the workplace;
 - Education programmes in schools aiming to address gender stereotypes in employment, to encourage more women into non-traditional professions;
 - Education programmes for employment agencies, associations of entrepreneurs, employers and government institutions to raise awareness of the unequal distribution of labour in the family;
 - Collaboration with financial institutions to improve gender equality in financial services, such as access to loans and other financial products;
 - Employment information programmes for women in rural areas;
 - Training of lawyers and judges in labour courts and mediation organs
 - Gender training of labour inspectors

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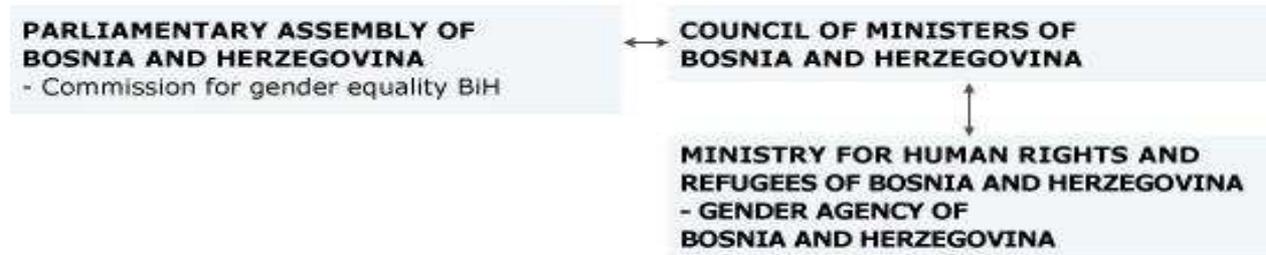
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Annex 1

INSTITUTIONAL MECHANISMS FOR GENDER ISSUES AT STATE LEVEL



INSTITUTIONAL MECHANISMS FOR GENDER ISSUES AT ENTITY LEVEL



INSTITUTIONAL MECHANISMS FOR GENDER ISSUES AT CANTONAL LEVEL (FBiH)



INSTITUTIONAL MECHANISMS FOR GENDER ISSUES AT MUNICIPAL LEVEL (FBiH I RS)



Annex 2**List of ILO Conventions Ratified in Bosnia and Herzegovina**

Convention	Country	Ratification date	Status
C2 Unemployment Convention, 1919	Bosnia and Herzegovina	02:06:1993	ratified
C3 Maternity Protection Convention, 1919	Bosnia and Herzegovina	02:06:1993	ratified
C8 Unemployment Indemnity (Shipwreck) Convention, 1920	Bosnia and Herzegovina	02:06:1993	ratified
C9 Placing of Seamen Convention, 1920	Bosnia and Herzegovina	02:06:1993	ratified
C11 Right of Association (Agriculture) Convention, 1921	Bosnia and Herzegovina	02:06:1993	ratified
C12 Workmen's Compensation (Agriculture) Convention, 1921	Bosnia and Herzegovina	02:06:1993	ratified
C13 White Lead (Painting) Convention, 1921	Bosnia and Herzegovina	02:06:1993	ratified
C14 Weekly Rest (Industry) Convention, 1921	Bosnia and Herzegovina	02:06:1993	ratified
C16 Medical Examination of Young Persons (Sea) Convention, 1921	Bosnia and Herzegovina	02:06:1993	ratified
C17 Workmen's Compensation (Accidents) Convention, 1925	Bosnia and Herzegovina	02:06:1993	ratified
C18 Workmen's Compensation (Occupational Diseases) Convention, 1925	Bosnia and Herzegovina	02:06:1993	ratified
C19 Equality of Treatment (Accident Compensation) Convention, 1925	Bosnia and Herzegovina	02:06:1993	ratified
C22 Seamen's Articles of Agreement Convention, 1926	Bosnia and Herzegovina	02:06:1993	ratified
C23 Repatriation of Seamen Convention, 1926	Bosnia and Herzegovina	02:06:1993	ratified
C24 Sickness Insurance (Industry) Convention, 1927	Bosnia and Herzegovina	02:06:1993	ratified
C25 Sickness Insurance (Agriculture) Convention, 1927	Bosnia and Herzegovina	02:06:1993	ratified

<u>C27 Marking of Weight (Packages Transported by Vessels) Convention, 1929</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C29 Forced Labour Convention, 1930</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C32 Protection against Accidents (Dockers) Convention (Revised), 1932</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C45 Underground Work (Women) Convention, 1935</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C48 Maintenance of Migrants' Pension Rights Convention, 1935</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C53 Officers' Competency Certificates Convention, 1936</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C56 Sickness Insurance (Sea) Convention, 1936</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C69 Certification of Ships' Cooks Convention 1946</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C73 Medical Examination (Seafarers) Convention, 1946</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C74 Certification of Able Seamen Convention, 1946</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C80 Final Articles Revision Convention, 1946</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C81 Labour Inspection Convention, 1947</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C87 Freedom of Association and Protection of the Right to Organise Convention, 1948</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C88 Employment Service Convention, 1948</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C89 Night Work (Women) Convention (Revised), 1948</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C90 Night Work of Young Persons (Industry) Convention (Revised), 1948</u>	Bosnia and Herzegovina	02:06:1993	ratified
<u>C91 Paid Vacations (Seafarers) Convention (Revised), 1949</u>	Bosnia and Herzegovina	02:06:1993	ratified

C92 Accommodation of Crews Convention (Revised), 1949	Bosnia and Herzegovina	02:06:1993	ratified
C94 Labour Clauses (Public Contracts) Convention, 1949	Bosnia and Herzegovina	18:01:2010	ratified
C97 Migration for Employment Convention (Revised), 1949	Bosnia and Herzegovina	02:06:1993	ratified
C98 Right to Organise and Collective Bargaining Convention, 1949	Bosnia and Herzegovina	02:06:1993	ratified
C100 Equal Remuneration Convention, 1951	Bosnia and Herzegovina	02:06:1993	ratified
C102 Social Security (Minimum Standards) Convention, 1952	Bosnia and Herzegovina	02:06:1993	ratified
C103 Maternity Protection Convention (Revised), 1952	Bosnia and Herzegovina	02:06:1993	denounced on 18:01:2010
C105 Abolition of Forced Labour Convention, 1957	Bosnia and Herzegovina	15:11:2000	ratified
C106 Weekly Rest (Commerce and Offices) Convention, 1957	Bosnia and Herzegovina	02:06:1993	ratified
C109 Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958	Bosnia and Herzegovina	02:06:1993	ratified
C111 Discrimination (Employment and Occupation) Convention, 1958	Bosnia and Herzegovina	02:06:1993	ratified
C113 Medical Examination (Fishermen) Convention, 1959	Bosnia and Herzegovina	02:06:1993	denounced on 04:02:2010
C114 Fishermen's Articles of Agreement Convention, 1959	Bosnia and Herzegovina	02:06:1993	denounced on 04:02:2010
C116 Final Articles Revision Convention, 1961	Bosnia and Herzegovina	02:06:1993	ratified
C119 Guarding of Machinery Convention, 1963	Bosnia and Herzegovina	02:06:1993	ratified
C121 Employment Injury Benefits Convention, 1964	Bosnia and Herzegovina	02:06:1993	ratified
C122 Employment Policy Convention, 1964	Bosnia and Herzegovina	02:06:1993	ratified
C126 Accommodation of Crews (Fishermen) Convention, 1966	Bosnia and Herzegovina	02:06:1993	denounced on 04:02:2010
C129 Labour Inspection (Agriculture)	Bosnia and	02:06:1993	ratified

Convention, 1969	Herzegovina		
C131 Minimum Wage Fixing Convention, 1970	Bosnia and Herzegovina	02:06:1993	ratified
C132 Holidays with Pay Convention (Revised), 1970	Bosnia and Herzegovina	02:06:1993	ratified
C135 Workers' Representatives Convention, 1971	Bosnia and Herzegovina	02:06:1993	ratified
C136 Benzene Convention, 1971	Bosnia and Herzegovina	02:06:1993	ratified
C138 Minimum Age Convention, 1973	Bosnia and Herzegovina	02:06:1993	ratified
C139 Occupational Cancer Convention, 1974	Bosnia and Herzegovina	02:06:1993	ratified
C140 Paid Educational Leave Convention, 1974	Bosnia and Herzegovina	02:06:1993	ratified
C142 Human Resources Development Convention, 1975	Bosnia and Herzegovina	02:06:1993	ratified
C143 Migrant Workers (Supplementary Provisions) Convention, 1975	Bosnia and Herzegovina	02:06:1993	ratified
C144 Tripartite Consultation (International Labour Standards) Convention, 1976	Bosnia and Herzegovina	11:07:2006	ratified
C148 Working Environment (Air Pollution, Noise and Vibration) Convention, 1977	Bosnia and Herzegovina	02:06:1993	ratified
C155 Occupational Safety and Health Convention, 1981	Bosnia and Herzegovina	02:06:1993	ratified
C156 Workers with Family Responsibilities Convention, 1981	Bosnia and Herzegovina	02:06:1993	ratified
C158 Termination of Employment Convention, 1982	Bosnia and Herzegovina	02:06:1993	ratified
C159 Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983	Bosnia and Herzegovina	02:06:1993	ratified
C161 Occupational Health Services Convention, 1985	Bosnia and Herzegovina	02:06:1993	ratified
C162 Asbestos Convention, 1986	Bosnia and	02:06:1993	ratified

	Herzegovina		
C174 Prevention of Major Industrial Accidents Convention, 1993	Bosnia and Herzegovina	18:01:2010	ratified
C175 Part-Time Work Convention, 1994	Bosnia and Herzegovina	18:01:2010	ratified
C176 Safety and Health in Mines Convention, 1995	Bosnia and Herzegovina	18:01:2010	ratified
C177 Home Work Convention, 1996	Bosnia and Herzegovina	18:01:2010	ratified
C181 Private Employment Agencies Convention, 1997	Bosnia and Herzegovina	18:01:2010	ratified
C182 Worst Forms of Child Labour Convention, 1999	Bosnia and Herzegovina	05:10:2001	ratified
C183 Maternity Protection Convention, 2000	Bosnia and Herzegovina	18:01:2010	ratified
C184 Safety and Health in Agriculture Convention, 2001	Bosnia and Herzegovina	18:01:2010	ratified
C185 Seafarers' Identity Documents Convention (Revised), 2003	Bosnia and Herzegovina	18:01:2010	ratified
MLC Maritime Labour Convention, 2006	Bosnia and Herzegovina	18:01:2010	ratified
C187 Promotional Framework for Occupational Safety and Health Convention, 2006	Bosnia and Herzegovina	09:03:2010	ratified
C188 Work in Fishing Convention, 2007	Bosnia and Herzegovina	04:02:2010	ratified

Source: ILOLEX – Database of International Labour Standards – last checked 26.08.2011
<http://ilolex.ilo.ch:1567/english/>

Annex 3

Level of Education attained in rural and urban according to sex

Men/boys

Highest education * Type of settlement - Cross tabulation

			Type of settlement		Total
			Urban	Rural	
Highest education	No education	Count	1	7	8
		% within Type of settlement	0,3%	1,6%	1,0%
		Adjusted Residual	-1,7	1,7	
	1 - 3 grades of Elementary School	Count	2	11	13
		% within Type of settlement	0,6%	2,5%	1,7%
		Adjusted Residual	-2,0	2,0	
	4 - 7 grades of Elementary School	Count	5	33	38
		% within Type of settlement	1,5%	7,4%	4,9%
		Adjusted Residual	-3,8	3,8	
	Completed Elementary School	Count	29	72	101
		% within Type of settlement	8,6%	16,1%	12,9%
		Adjusted Residual	-3,1	3,1	
	Completed Secondary School 2-3 yrs	Count	75	144	219
		% within Type of settlement	22,3%	32,2%	28,0%
		Adjusted Residual	-3,1	3,1	
	Completed Secondary School 4 yrs	Count	138	130	268
		% within Type of settlement	41,1%	29,1%	34,2%
		Adjusted Residual	3,5	-3,5	
	Completed High School	Count	23	5	28
		% within Type of settlement	6,8%	1,1%	3,6%
		Adjusted Residual	4,3	-4,3	
	Completed University Education	Count	55	39	94
		% within Type of settlement	16,4%	8,7%	12,0%
		Adjusted Residual	3,3	-3,3	

M.A, PhD. Degree	Count	6	1	7
	% within Type of settlement	1,8%	0,2%	0,9%
	Adjusted Residual	2,3	-2,3	
Don't know	Count	2	2	4
	% within Type of settlement	0,6%	0,4%	0,5%
	Adjusted Residual	0,3	-0,3	
Don't want to answer	Count	0	3	3
	% within Type of settlement	0%	0,7%	0,4%
	Adjusted Residual	-1,5	1,5	
Total	Count	336	447	783
	% within Type of settlement	100,0%	100,0%	100,0%

Women/Girls

Highest education * Type of settlement - Cross tabulation

			Type of settlement		Total
			Urban	Rural	
Highest education	No education	Count	8	28	36
		% within Type of settlement	2,3%	6,0%	4,4%
		Adjusted Residual	-2,6	2,6	
	1 - 3 grades of Elementary School	Count	13	35	48
		% within Type of settlement	3,7%	7,5%	5,9%
		Adjusted Residual	-2,3	2,3	
	4 - 7 grades of Elementary School	Count	12	55	67
		% within Type of settlement	3,4%	11,8%	8,2%
		Adjusted Residual	-4,3	4,3	
	Completed Elementary School	Count	54	115	169
		% within Type of settlement	15,4%	24,7%	20,7%
		Adjusted Residual	-3,2	3,2	
Completed Secondary	Count	69	84	153	

School 2-3 yrs	% within Type of settlement	19,7%	18,0%	18,7%
	Adjusted Residual	0,6	-0,6	
Completed Secondary School 4 yrs	Count	129	112	241
	% within Type of settlement	36,8%	24,0%	29,5%
	Adjusted Residual	3,9	-3,9	
Completed High School	Count	15	8	23
	% within Type of settlement	4,3%	1,7%	2,8%
	Adjusted Residual	2,2	-2,2	
Completed University Education	Count	46	24	70
	% within Type of settlement	13,1%	5,2%	8,6%
	Adjusted Residual	4,0	-4,0	
M.A, PhD. Degree	Count	3	0	3
	% within Type of settlement	0,9%	,0%	0,4%
	Adjusted Residual	2,0	-2,0	
Don't know	Count	0	1	1
	% within Type of settlement	0,0%	0,2%	0,1%
	Adjusted Residual	-0,9	0,9	
Don't want to answer	Count	2	4	6
	% within Type of settlement	0,6%	0,9%	0,7%
	Adjusted Residual	-0,5	0,5	
Total	Count	351	466	817
	% within Type of settlement	100,0%	100,0%	100,0%

Source: Prism Research for NHDR UNDP 2009. Data unpublished

Annex 4

The Labour Law, 1999

2. PROTECTION OF WOMEN AND MATERNITY ARTICLE 52

A woman may not be ordered nor assigned to work on particularly hard manual works, works underground or under water, nor on other jobs which could have a harmful effect or increased risk to her life or health, given her psycho-physical qualities.

Exceptionally, restriction of work from paragraph 1 of this article shall not pertain to those women performing management or health and social protection jobs, students, employees in training or volunteers who in education or expert qualification must spend part of the time in underground parts of mines, and to women who periodically must enter underground parts of mines to perform non-manual works.

ARTICLE 53

An employer may not refuse to employ a woman for her pregnancy, or cancel her employment contract because of her condition, or assign her to other jobs, except in cases from Article 54, paragraph 1 of this law.

ARTICLE 54

During pregnancy or weaning of child, a woman may be assigned to other jobs if this is in the interest of her health condition as established by the certified medical doctor.

If an employer is not able to secure assignment of the woman in terms of paragraph 1 of this article, the woman shall be entitled to paid absence from work, in accordance with the collective agreement and rulebook.

The temporary assignment from paragraph 1 of this article may not result in reduction of the woman's salary.

The employer may dislocate the woman from paragraph 1 of this article into other place of work only with her written consent.

ARTICLE 55

During pregnancy, confinement and care of the baby, the woman shall be entitled to maternity leave in the duration of one year without interruption, for twins, third or any next child, the woman shall be entitled to maternity leave in the duration of 18 months without interruption.

Based on the finding of the certified medical doctor, the woman may start maternity leave 45 days before birth giving, and mandatory 28 days before confinement.

If without her fault, based on the findings of the certified medical doctor, the woman fails to use the maternity leave 28 days before confinement, she shall be entitled to use those days after confinement.

Exceptionally, the woman, upon her written request, may use shorter maternity leave, but no shorter than 42 days after confinement.

ARTICLE 56

The father of the child, or the adoptive parent, may use the right from article 56, paragraphs 1 and 3 of this law in the case of death of the mother, in case the mother abandons the baby or if for justified reasons she is prevented from using this right.

ARTICLE 57

After expiry of maternity leave, a woman with the baby of up to one year of age shall be entitled to work half work hours, and for twins, third or each following child she shall be entitled to work half work hours up to the completion of two years of age of her baby, unless the rule of the canton stipulates for extended duration of this right.

The right from paragraph 1 of this article may also be used by the employed father of the baby, if the woman works full work hours in that period.

ARTICLE 58

After expiry of one year of the baby's life, one of the parents shall be entitled to work half work hours up until three years of age of the baby, if the baby, according to the finding of the certified health institution, requires intensified care.

The right from paragraph 1 of this article shall also be used by the adoptive parent or the person taking care of the child, in case of death of both parents, if parents abandon the child or if they are not able to take care of the child.

ARTICLE 59

A woman working full work hours after using her maternity leave shall be entitled to be absent from work twice daily in the duration of one hour each time for the purpose of weaning the baby, based on the finding of the certified medical doctor.

The woman may use the right from paragraph 1 of this article up until the completed one year of age of the baby.

The absence time from paragraph 1 of this article shall be counted into the full work hours.

ARTICLE 60

If a woman gives birth to a dead baby or if the baby dies before the expiry of maternity leave, she shall be entitled to extend maternity leave by such time as, according to the finding of the certified medical doctor, is necessary to rehabilitate from birth giving and the psychological condition caused by the loss of the baby, nor less than 45 days from the confinement or the death of the baby, during which time she shall be entitled to the rights deriving from maternity leave.

ARTICLE 61

One of the parents may absent from work up until the completed three years of age of the baby, if this is stipulated in the collective agreement or the rulebook.

During absence from work in terms of paragraph 1 of this article, the rights and obligations deriving from employment shall be at rest.

ARTICLE 62

During use of maternity leave, as well as of absence from Article 59 of this law, the employee shall be entitled to payment of salary in accordance with the law.

During working half work hours from Articles 57 and 58 of this law, for the half full work hours s/he is not working, s/he shall be entitled to payment of salary in accordance with the law.

ARTICLE 63

One of the parents of a child with serious retardation in development (of a seriously handicapped child) shall be entitled to work half full work hours, in case this is a self-sustaining parent or that both parents are employed, provided that the child is not accommodated in a social welfare/health care institution, based on the findings of the competent health care institution.

The parent using the right from paragraph 1 of this article shall be entitled to receive salary in accordance with the law.

The parent using the right from paragraph 1 of this article may not be ordered to work nights, to work overtime nor may be his place of work be changed, unless s/he has provided her/his written consent to that effect.

The Bureau for Gender Equality supports the implementation of the ILO's Policy on Gender Equality and Mainstreaming. This entails offering advice to constituents and ILO staff on measures to help ensure that policies, legislation, programmes and institutions are more gender-equitable. Such measures include ratifying and implementing relevant labour standards, increasing the number of women in decision-making positions, promoting women's entrepreneurship and paying attention to situations where women are particularly vulnerable in the labour market.

The Bureau reports directly to the ILO Director-General who keeps the Organization's Governing Body and International Labour Conference apprised of contemporary gender issues in the four strategic objectives of employment, social protection, social dialogue and rights at work. It coordinates the ILO global Gender Network, which comprises Senior Gender Specialists and gender focal points in the field offices and at headquarters in Geneva. It carries out participatory gender audits (PGAs), technical cooperation projects, knowledge sharing and awareness-raising activities to help strengthen the capacities of constituents, ILO staff and other stakeholders to address the gender dimension in their areas of work.

The Bureau participates in United Nations inter-agency activities and initiatives aimed at promoting gender equality and the empowerment of women. These include the Millennium Development Goals (MDGs) and especially MDG 3 on gender equality, the Beijing Platform for Action and the Convention on the Elimination of Discrimination against Women (CEDAW). The Bureau contributes to Expert Group meetings to prepare the Commission on the Status of Women (CSW) and participates in the yearly CSW thematic discussions panels. The Bureau supports gender mainstreaming in "Delivering as One" initiatives at the country level and in United Nations Development Assistance Frameworks (UNDAFs).

The Bureau liaises with civil society groups, academic institutions and a broad range of actors committed to gender equality.

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