

## **Establishing of labour migrations policy in the countries of origin and countries of destinations and International cooperation between the countries of western Balkan**

### **- Characteristics of labour migrations in and from your country (different ways and manifestations, destinations and main routes)**

Bosnia and Herzegovina is in the inception phase of the European Union (EU) Integration Process and the political process with the EU has been defined through the European Union Stabilization and Association Process, so it needs to adopt adequate priority measures in the field of labour market and social policy which will be harmonized with the EU legal regulations. Results of the reforms in the labour market area will be visible in long-term period.

Labour legislation in BiH is the responsibility of entities (Federation of BiH, Republika Srpska (RS) and Brčko District of BiH), aligned with the ILO Conventions and rather liberal, and on the state level there is legislative for employees in the BiH institutions.

Real unemployment rate is much lower than registered unemployment due to presence of black labour market and registering with the National employment services only for social insurance purposes. In the BiH evident is low level of labour force mobility and flexibility and presence of black labour market.

Creation of new jobs and jobs reassignments are low ( for example, projects of employing young trainees University educated in RS and projects in Brčko District in BiH have been approved last year).

Private sector is much more dynamic in the view of creating new jobs.

According to information from National employment services in BiH with august 2008 there was 484 653 unemployed labourers, in the Federation BiH 338 111 unemployed labourers, 133 827 in the RS and 12 715 in Brčko District of BiH.

On the initiative of the Ministry of Civil affairs of the BiH, BiH Presidency agreed on the decision on initiating the procedure for negotiation process for the agreement between Council of the Ministries BiH and Governments of the Republic Croatia, Montenegro, Slovenia, Serbia and the State of Qatar to establish conditions and ways of employment of BiH citizens in the above mentioned states. Signing the previously mentioned agreements would provide stimulation of labour force mobility, higher employment rate in the surrounding countries, lower rate of black labour market and stop the discrimination of BiH citizens in the above mentioned states.

Labour and Employment Agency of BiH has signed Memorandums and Policies on mutual cooperation with The Association of trade employers of Slovenia, National Employment Service of Slovenia, National Employment Service of Montenegro and National Employment Service of Croatia, which regulate ways of cooperation between the services, service provision to employers and to unemployed clients who are searching for the job.

## **Current policies on labour migrations in your country**

Programme suggested by Ministry of Civil Affairs of BiH in 2009 plans draft of the Law on employment and work of foreign citizens and migrants in BiH which will be unified with international standards and instructions of the EU. At the moment this area is entrusted to the competence of entities and Brcko district of BiH which have legally defined this field by special laws, also with competences of issuing the work permit.

In May 2008 Law on Movement and Residence of Foreigners and Asylum has been adopted on the state level, which regulates procedure and conditions of residence of foreigners and anticipated establishing of quotas for issuing the work permits.

According to suggestion of the Ministry of Civil Affairs of BiH, Council of the Ministries BiH reached the decision on establishing of yearly quotas for issuing the work permits to foreign citizens in BiH for 2009, so for the year 2009 total quota is 2580 work permits, for the Federation of BiH - 1140; for Republic of Srpska – 800; and for Brcko District of BiH - 640. Out of that total number 835 work permits is been issued for the first employment and the rest of that number refers to extension of previously issued work permits. During 2007 total number of 2825 work permits has been issued, while in the year 2008 1517 work permits for the foreign citizens has been issued.

Labour and Employment Agency of BiH sends the report on the updated number of work permits to the Ministry of Civil Affairs of BiH every three months.

Labour and Employment Agency of BiH has initiated the cooperation with the Thessaloniki Agenda for the Western Balkans: Moving towards European integration in the scope of mechanism Conducting of reforms in the area of labour.

Also, the Agency cooperates with the World Association of Public Employment Services (WAPES) whose member is BiH as of 2005 and through this Agency possibility of approaching the sources of information and to world labour market of the EU has been implemented.

On the basis of initiated cooperation between National Employment Services of the countries in southeastern Balkans, as the initiative for institutionalizing, in October 2006 in Sofija the Conference of National Employment Services – Agencies for Labour and Employment has been held and the BiH representatives took part in it. All parties had exchanged their experiences in the area of employment in the context of European strategy of employment and the Protocol of partnership has been signed, with the goal of establishing the „Balkan center“.

In the month of May the same year representatives of BiH, Bulgaria, Montenegro, Croatia, Macedonia, Romania, Serbia i Turkey signed the „Terms of reference for the work of National Employment Services of the countries of southeastern Europe“ and obliged their countries to respect the ILO Conventions and Statute of World Association of Public Employment Services (WAPES).

In 2007 the International Labour Fair with 40 participants was organised in BiH, also regional labour fairs were organised, where all the participant countries exchanged information on vacancies and some contract with the employers were signed.

By Stabilisation and Association Agreement signed in July 2008 is forecasted that labourers from BiH which are employed in the EU country must not be discriminated on any possible grounds, also for husbands or wives and for the children of our citizens who have dual citizenship of the EU country to provide free access to labour market. Also, by this Agreement is forecasted to provide a freedom of providing services in another EU country without obligation to be a resident in the country where services are provided.

Major number of immigrants from BiH has moved to the countries in Europe, America and in Australia and they are mainly motivated by job search, economical and other reasons.

## **Institutions and management bodies responsible for managing migrations**

**Labour legislations in BiH is in competency of Entities and Brcko District of BiH, it is modulated with ILO conventions and refers to:**

- Adjustment of ways and conditions of employment;
- Implementation of freedom to work and protection and safety at work place;
- Ensurance for unemployed, also protection of interests of unemployed and creating of conditions for their fulfilling and professional qualifications;
- Producing and implementing of employment programme and intermediation in employment process;
- Notification on possibilities and conditions of employment and other jobs.

At the state level department of labour and employment is in the competency of Ministry of Civil Affairs of BiH and Labour and Employment Agency of BiH.

### **Competency of Ministry of Civil Affairs of BiH is:**

- validation of basic principles of activity coordination and modulation between entities' governmental bodies and definition of strategy on the state level;
- preparation of suggestions of the bilateral agreements;
- participation on the state level bilateral and multilateral dialogs;
- participation in preparing of ILO conventions ratification;
- conducting of enforcement of ratified ILO conventions and implementation of ILO and IPA projects;
- jobs related to BiH cooperation on the state level with the International Organisation for Migrations (IOM), World Bank (WB), ILO, EU and other International Organisations in the area of labour and employment, social protection policy and retirement;
- propositions for annual quotas for work permits to foreigners and other jobs.

### **Duties of Labour and Employment Agency of BiH:**

- International representation and cooperation with international organizations and performing duties from area of labour and employment;
- Coordinates the activities with Entity authorities and National Employment Services and Brcko District of BiH;
- Collect the information on labour market deficit and delivers the information to Entity Employment Services;
- Initiates ratification of international contracts in the area of labour and employment and follows their implementation and other jobs within their competency.