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EMPLOYMENT STRATEGY IN THE FEDERATION OF BOSNIA AND HERZEGOVINA (2023-2030)

Gender Analysis

Bosnia and Herzegovina

2024

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INTRODUCTION

The gender analysis of the Employment Strategy in the Federation of Bosnia and Herzegovina (FBiH) for the period from 2023 to 2027 was conducted as part of the Action “Promoting gender equality through the EU accession process”, led by Reactor – Research in Action (North Macedonia) and implemented in collaboration with the Kvinna till Kvinna Foundation (North Macedonia Office), Kosovo Women’s Network (Kosovo), Albanian Women’s Empowerment Network (AWEN, Albania), Association RIGHTS FOR ALL (Bosnia and Herzegovina), and the Center for Women’s Rights (Montenegro). This Action aims to enhance and expand current regional collaboration to bolster democracy, and participation, and foster an inclusive, gender-sensitive accession process. Among other things, the Action contributes to strengthening WCSO’s capacities to engage with governments, EU Delegations, and Offices in the country and the region, making all involved actors aware of the importance of gender dimensions of the EU Accession process. In particular, it aims to improve the accountability of governments in implementing commitments to gender equality and women’s rights during the EU Accession process.

Bosnia and Herzegovina (BiH) has ratified several international treaties and adopted laws aimed at establishing gender equality and eliminating discrimination on any grounds. Yet, women in BiH are still not equal and suffer various forms of discrimination. Inequality is present in almost all areas, especially in the sphere of labor and economy. The acknowledgment, fulfillment, and safeguarding of women’s rights are marked by disparities between norms and actual circumstances, women’s underrepresentation in politics, and the unequal distribution of economic and social power. It’s important to note that the legal framework in BiH remains inconsistent, offering opportunities for gender discrimination due to disparities in laws, uneven enforcement, and inadequate monitoring of implementation.

Discrimination in employment is prohibited by the provisions outlined in the Gender Equality Act in Bosnia and Herzegovina (GEA), as well as the Law on Prohibition of Discrimination in Bosnia and Herzegovina (LPD), along with all labor laws enforced at various government levels in the country. Nonetheless, women still encounter discrimination throughout the employment process, spanning from job advertisements and recruitment to their actual work and eventual termination.

The latest Bosnia and Herzegovina Report (the Report) compiled by the European Commission (EC) in November 2023, sends a somewhat stronger message, urging governments to take action to ensure the implementation of gender equality standards, human rights, and enabling environment for civil society.

In Bosnia and Herzegovina, a notable absence persists regarding gender analyses across various thematic areas and sectors, leaving a gap in understanding the status of women in society and gender equality, particularly within the realm of work and employment. Hence, this analysis seeks to bolster these endeavors by emphasizing the significance of gender mainstreaming in strategies and policies aimed at enhancing the country’s economy and employment sectors. It advocates for the comprehensive implementation of the BiH Gender Equality Act and other pertinent legislation to ensure gender equality in accessing and enjoying human rights.

1 This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

Ensure regular adoption of employment strategies with an integrated gender perspective and gender-sensitive measures, particularly taking into account the needs of members of marginalized groups.

Establish a regular system of collecting detailed statistics disaggregated by gender at all statistical offices, especially in the field of employment, Salaries, and benefits, by individual sectors of employment, professional development and promotion, and participation in management and governance.

When drafting policies and laws in the areas of labor, employment, and the social system, it is mandatory to assess the impact of these policies and laws on women. New policies must include a system of mandatory, regular monitoring and reporting on their implementation.

Labor and employment laws and policies must respond to the need to strike a balance between work and private life for parents and custodians, and in particular to recognize the need to invest in childcare facilities and the like.

Establish regular and systematic mechanisms to monitor the Strategy's implementation in practice, involving civil society in creating gender-sensitive intersectional indicators and/or enhancing monitoring metrics to accurately gauge the effectiveness of measures in assisting marginalized groups.

