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BEYOND THE WORKER: SOCIAL WELFARE EXCLUSION OF LABOUR MIGRANT FAMILIES IN BOSNIA AND HERZEGOVINA

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Summary: This paper explores how Bosnia and Herzegovina's fragmented welfare system responds to the needs of transnational labour migrant families, a problem of growing significance as the country transitions from an emigration context to a destination for low-wage foreign workers. Gaps in access to healthcare, education, and family services generate social inequalities that risk long-term exclusion. The objective of the study is to identify the administrative, legal, and political barriers migrant families face and to provide recommendations for improving institutional responses. Methodologically, the paper relies on narrative policy analysis and legal-institutional review, with a theoretical grounding in transnational social protection, governance studies, and intersectionality. The sample consists of relevant legislation, strategic policy documents, and public discourse, complemented by regional comparisons with Croatia and Serbia. The findings demonstrate that access to social rights in Bosnia and Herzegovina remains tightly linked to employment contracts and residency permits, leaving many families without adequate protection. Moreover, public and political narratives often racialise migrants or reduce them to purely economic actors, overlooking their broader social vulnerabilities. The paper concludes that Bosnia and Herzegovina must develop a centralised, rights-based welfare framework to address the structural exclusion of transnational families. Recommendations include strengthening institutional coordination, depoliticising migration in public debate, and adapting social services to the needs of migrant workers and their children.

Keywords: *labour migration, transnational families, social protection, administrative policy, Bosnia and Herzegovina*

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INTRODUCTION

The social protection structure for transnational labour migrant families in Bosnia and Herzegovina is marked by considerable fragmentation and a general lack of inclusiveness, due to the fact that while BiH has traditionally been considered, externally and internally, as a country focused primarily of emigration, it has recently become quite familiar with noticeable shifts in this narrative towards an immigration-oriented position. BiH has been experiencing a surge of labour migrants, especially within industries such as construction, tourism, and agriculture, due to the sectoral gaps left as direct consequences of labour emigration (Pašić, 2024). This imbalance in the shift of migration tides has left a significant impact on both the economic side of the coin and the demographic one, which, unfortunately, reflects the existing inadequacies of the social protection framework (ILO, 2022). These frameworks, upon their creation, never took into consideration the equitable inclusion of groups such as labour migrants, let alone their dependents, especially when one considers components such as health and education. Furthermore, the current system fails to accommodate categories such as informal, foreign seasonal, or part-time workers, groups in which migrant workers are frequently overrepresented. As a result, both regular and irregular migrant workers often find themselves excluded from the social insurance system and broader welfare structures (ILO, 2022).

Despite healthcare and social protection being fundamental rights, accessing them remains a substantial challenge for this population in BiH, as the vast majority of access to healthcare depends on donor services, most frequently international aid and projects (OECD, 2022). Although there are quite a few initiatives to integrate this population into the healthcare system more efficiently, the process itself requires significant financial assistance and coordination between different levels within the country (Swiss Agency for Development and Cooperation, 2022). With regard to the social protection of the TNFs in BiH related to labour migrants, one can speak of a wider context of systemic constraints that remain persistent due to an array of bureaucratic and legal obstacles, which overall exacerbate equitable access to such services. While one can speak of the shift from emigration to immigration as a successful move forward for the country in the sense of demographics as well as potential economic benefits, we cannot stray from the fact that institutional and policy structures struggle to adequately

tackle the various needs of transnational families. By this, we can include not only the administrative challenges the workers themselves face, but also their spouses and children, who may remain unprotected systemically because the social policies are inefficient, or overall inadequate (Bryceson and Vuorela, 2002). Moreover, these inequalities in treatment affect a diverse array of families that come to BiH from linguistically and culturally different backgrounds, such as Nepal, Bangladesh, and India, which furthermore increases the possibility of their needs being understood and addressed properly. Although there are families that are more familiar to the local context, both linguistically and culturally, such as Serbia, Montenegro, and North Macedonia, they face the same access, or lack thereof, to social protection frameworks. (Ministry of Security of Bosnia and Herzegovina, 2024). These diverse internal dynamics introduce another layer of obstacles to integration and inclusion concretely at the level of public policy, as complex and multifaceted issues different families may face, related to healthcare or the adequate inclusion of their children into the local education system, are difficult to bring into just one large policy on the integration of transnational families and their introduction into the social protection systems (ILO, 2023). In order to effectively and fairly integrate transnational families, BiH must address critical issues on both a structural point, such as a generally easier administrative approach to bringing families of foreign workers to the country, but also leave space for a case-sensitive approach for specific needs for support, such as the inclusion of children who may not know the language, but may also carry a form of disability (Garcés-Mascreñas & Penninx, 2016).

This paper aims to answer the following research questions:

RQ1: How do institutional and legal frameworks in Bosnia and Herzegovina shape the (non-) recognition of transnational labour migrant families within the national social protection system?

RQ2. To what extent does the governance of labour migration in Bosnia and Herzegovina reflect a rights-based approach to transnational family welfare, and how does it compare to regional practices in Southeastern Europe?

This paper is limited in scope by the availability of recent statistical data specific to transnational families in Bosnia and Herzegovina, as well as by the lack of

disaggregated data by gender, age and employment type. Additionally, while comparative examples from the region are offered to a lesser extent, in-depth field research within migrant communities in Bosnia and Herzegovina was not conducted. As such, the findings rely heavily on policy analysis, existing literature and research.

Research Studies, Reports, and Initiatives on Transnational Families in Bosnia and Herzegovina

The academic and policy landscape surrounding transnational labour migrant families in BiH is still in its formative stage, shaped by the country's relatively recent transformation into a destination country for labour migrants. Much of the existing research on the topic focuses on the socio-economic motivations and potential demographic factors of labour migration, rather than specifically on the rights, vulnerabilities, and welfare access of TNFs. While these studies offer an important basis, they are rarely sufficient in offering a concrete analysis of the social protection needs of migrant families and the institutional challenges they face in BiH. Local scholars have thus far primarily been focusing on the socio-economic impacts that the foreign workforce in the system may have, but more recently, focus has somewhat shifted to include the examination of the real-life situations and issues the transnational families and migrant workers face, related to both social services to the bureaucracy, as well as integration processes (Krasteva, 2011). This research showcases the fragmented structures in the BiH system that hinder the unequal inclusion of migrants through looking at how social workers report on their situations. Additionally, the work of Selimović et al. speak about how gender roles impact potential economic situations of women in BiH, exploring gender dynamics and labour in general. Although not directly tied to migrant women per se, it shows an insight into the disparities and inequalities that may arise from gender biases in the workforce (2023).

Similarly, the article *Solidarity or Crisis? How Personal Migration Experiences Shape Popular Perception on Forced Migrants in Bosnia and Herzegovina* speaks of public attitudes towards migrants, identifying clear divisions between empathy for refugees and reservedness toward economic migrants. This perception gap complicates the integration of labour migrants and their dependents

(Savić-Bojanić & Jevtić, 2021). Moreover, the topic has been researched in the regional context, as well, with works that analyse the legal status of labour migrants, their protections, obligations, and rights, such as that of Gregurović et al. (2024). They analyse the employment policies in the Republic of Croatia, considering specifically migrant employment and good practices in the process and integration into the social security system. Such analyses of legal systems may serve as a good example of analyses that may be conducted in BiH with the aim of improving the policies. Similarly, Sadina and Kovačević (2023) consider a comparative approach between Croatia and Serbia, looking into the respective labour migration laws, representing one of the pioneering efforts of this sort in the region. Such a comprehensive analysis of local legislation that stands at the intersection between labour law and labour migrations is yet to be produced in BiH. Moreover, when it comes to relevant institutions that have tackled this issue from one point or another, the International Organisation for Migration BiH has initiated projects and actions aimed at enhancing the management of labour migration in BiH, as well as the integration efforts for the migrant workers and their families. They've recently entered into a partnership with the Agency for Labour and Employment of BiH, through a programme titled *Strengthening Labour Migration Governance in Bosnia and Herzegovina*. The programme has the goal to aid institutional frameworks and ease bureaucratic procedures to improve overall labour migration management (IOM, 2023). Such efforts represent a crucial foundation for changes in policymaking in this field, specifically related to the fair integration of TNFs.

However, these studies remain primarily situated in the field of labour law and employment policy, rarely extending their analyses to the topic of social integration or family protection needs of migrants. They provide useful reference points but underscore the absence of a holistic, family-oriented approach in literature, especially one that speaks of BiH's unique governance and bureaucratic structure. While these national and regional-level studies are valuable, it is only in the wider scholarly realm that the conceptual frameworks most relevant to this paper occur

The work of Lafleur and Vintila (2020), for instance, introduces the concept of transnational social protection, a significant viewpoint through which to understand how migrant families navigate complex state structures, informal

networks, and institutional inequalities. Their research, to a large extent, challenges the idea that social protection is contained within nation-states and actually calls for a reconceptualisation of welfare entitlements as dynamic, mobile, and contested (Lafleur & Vintila, 2020). Such a notion is highly relevant to the BiH context, where access to healthcare insurance, family reunification, and education is tightly bound to legal residency and formal employment, usually by the primary labour migrant, leaving many TNFs excluded from both rights and services.

Similarly, Braun and Levitt (2022) critically discuss how state welfare systems interact with the realities of TNF life, focusing on the gap between legal frameworks and lived experiences of labour migrants and their dependents. Their focus on implementation issues and bureaucratic inefficacy provides a useful conceptual note for analysing BiH. In the regional context, the work of Triandafyllidou, Isaakyan and Marchetti (2021) is quite noteworthy for its comparative analysis of South-East European welfare regimes. This categorisation of countries into protective but exclusionary, or residual but adaptable, showcases how welfare states in transition (social or economic) navigate the inclusion of TNFs. While Croatia and Serbia are discussed in the mentioned research, BiH remains, once again, underrepresented.

Furthermore, when we speak of an intersectional dimension of migrant family experience, we mention those that are particularly related to the effects of gender, ethnicity, legal status, and the working class. These notions are also severely under-researched in the context of BiH. Kofman, Saharso, and Vacchelli (2022) complement this approach by offering insight into gendered mobilities and care chains. They show how migrant women, either as primary breadwinners or dependents, are significantly burdened by both paid and unpaid labour, while at the same time existing and operating within an inadequate social protection system (Kofman, et al., 2022). This paper further explores how migrant women in BiH, with a strong focus on women arriving from non-Slavic backgrounds, operate the system whilst pertaining to the status of constant overlook by the policy makers. Lastly, despite the relevance of the aforementioned literature, a clear and significant gap remains, both regionally and globally, particularly related to the analysis of protection mechanisms in semi-peripheral, decentralised, and post-conflict countries, such as BiH.

This paper contributes to filling that gap by synthesising existing policy, legal, and institutional data through the view of transnational social protection theory, while situating its findings within the specific bureaucratic and political context of BiH. By focusing explicitly on TNFs, it draws attention to overlooked or underrepresented dimensions of social vulnerability, particularly in the areas of healthcare access for dependents, adequate inclusion of migrant children in the education system, and the intersectional and gendered notions. By covering these aspects, the paper offers an insight into how TNF inclusion is more than a question of legislative reform. It is also a vital aspect of policy implementation and institutional coherence.

Theoretical Framework

This paper draws on three interrelated theoretical approaches to analyse the social protection challenges facing transnational labour migrant families in BiH: transnational social protection, governance theory, and intersectionality. Together, these frameworks provide a multidimensional lens for understanding how legal, institutional, and socio-political factors interact to shape migrant family access to welfare services.

Firstly, the concept of transnational social protection emphasises how migrants rely on a combination of sending and destination state frameworks, international organisations, private actors, like employment agencies, and informal networks, usually migrants who came before them, to be able to successfully navigate the system (Faist et al., 2015; Lafleur & Vintila, 2020). In countries like BiH, where welfare benefits are closely tied to formal employment, this theoretical overview shows how access to healthcare, education, and social security is usually conditional, partial, or completely absent for migrant families (Faist et al., 2015; Lafleur & Vintila, 2020). This perspective is critical for understanding the legal and practical limitations of BiH's health and education systems, which this theory identifies as crucial exclusionary mechanisms for TNFs, specifically those working informally or through "contracts of act" (BHS: *ugovor o djelu*). Second, governance theory, especially in the context of post-socialist and decentralised welfare regimes, allows for an assessment of how fragmented institutional authority, political competition, and capacity deficits contribute to poor policy implementation and

inconsistent service provision (Pierre & Peters, 2005; Hughes et al., 2009). BiH's highly decentralised governance structure means that social protection policies and implementation practices vary significantly between entities and cantons, with little horizontal coordination. The paper's analysis of canton-level variations in healthcare access and the comparison of Sarajevo Canton with more restrictive administrative units illustrates how governance failure translates into practical exclusion for migrant families.

Lastly, Crenshaw and Yuval-Davis (1989; 2006) debate about the framework of intersectionality. They claim that it represents a crucial point for understanding how the overlap of social identities, specifically gender, ethnicity, class, and legal status, influences the inclusion, or lack thereof, of TNFs. Particularly, the authors highlight how female labour migrants employed in personal care or service sectors may experience dual-level issues, firstly as women and secondly as caregivers often responsible for their dependents (Crenshaw, 1989). The paper uses the combination of these three theoretical models to lay the foundations for understanding the debates and analyses on the dialogue between welfare conditionality and labour migrants. This also allows for a critique of the administrative and structural frameworks in BiH, alongside the reflection on the normative instructions.

Methodological Approach

This paper adopts a narrative policy analysis and institutional-legal review approach to examine how Bosnia and Herzegovina's social protection system accommodates, or fails to accommodate, transnational labour migrant families. The choice of methodology reflects the paper's aim, to critically assess the normative, legal, and bureaucratic frameworks shaping TNFs' access to healthcare and education, and to contextualise them within broader regional trends and theoretical debates. Narrative policy analysis was chosen to explore complex, multi-level governance challenges in BiH. It allows a synthesis and interpretation of different policy documents, laws, and narratives while situating them within a particular discourse, which is, in this case, TNF social welfare (Roe, 1994). We analyse over 30 primary sources, including relevant legislation (e.g., the Labour Law of FBiH, the Law on Aliens), policy reports from the Ministry of Security of

BiH, and statistical data from international organisations such as the ILO, OECD, and IOM. These are supplemented with NGO reports and relevant donor-funded project evaluations. This approach is combined with an institutional-legal review, which pinpoints how formal entitlements (e.g., eligibility for healthcare or schooling) are actually implemented in practice across bureaucratic levels in BiH. The paper pays close attention to the bureaucratic requirements for family reunification, specifically related to labour migrant families, healthcare access and education for the workers' dependents, highlighting obstacles that disproportionately affect women, children, and non-Slavic-speaking migrants.

The choice of methodology mirrors the unfortunate reality that primary data collection, like interviews with labour migrants in BiH, remains rather scarce and logistically difficult, due to the novelty of the phenomenon, decentralised and incomplete data systems, and the limited access to labour migrants due to their employers' conditionality and approval. Instead, the paper focuses on providing an evidence-based overview that incorporates regional comparisons (e.g., Croatia and Serbia), emerging academic literature, and policy-level data to produce insights and recommendations for the real-life setting of TNFs. This kind of approach is also seen in other studies related to the welfare state, like Bartlett & Danaj (2021) and Greer & Jarman (2020), and it contributes to ongoing efforts to map the policy dimensions of labour migration and family integration in semi-peripheral European contexts, as Southeast Europe.

The current framework

International Commitments and Strategic Absence in Bosnia and Herzegovina

Bosnia and Herzegovina has ratified several key international instruments intended to safeguard the rights of migrant workers and their families, most notably, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (UN, 1990). The country is a signatory to different frameworks of the Council of Europe, including the Revised European Social Charter, which aims to ensure the right to social protection and equal treatment for legal and documented labour migrants (Council of Europe, 2021). Despite

these normative commitments, BiH lacks a coherent national strategy, or at least entity-level strategies, that could address the integration and social protection of labour migrants in BiH. The state's Migration and Asylum Strategy (2021–2025) and Integrated Border Management Strategy (2019–2023) are mainly related to border control, asylum, and transit migration, with no clear focus on labour migration. This means that the current policy documents fail to address rights of labour migrants, such as healthcare for their dependents, education, family reunification under special cases, and so on, outside of the normative framework (Otsuka, 2024). This strategic status quo is exacerbated by the lack of any national or concrete entity-level strategy tailored specifically to foreign workers and their families. While EU neighbourhood policies encourage the harmonisation of social protection for migrants in candidate and potential candidate countries, BiH, as an EU candidate country, has not advanced the development of migrant-inclusive welfare measures so far. The lack of a dedicated migration integration framework is particularly concerning given the increase in work permits issued to nationals of countries such as Pakistan, Nepal, Turkey, and Bangladesh in recent years (China-CEE Institute, 2022).

Fragmented Governance and Absence of Institutional Mechanisms

BiH's institutional configuration, defined by its post-conflict constitutional arrangement, contributes significantly to the fragmentation of labour migration governance. Responsibilities for migration, labour, education, and social welfare are split across the state, entity, cantonal, and municipal levels, resulting in a highly decentralised and incoherent policy landscape (IOM, 2023). The Service for Foreigners' Affairs, under the Ministry of Security, handles the registration and stay of foreigners, including those on work permits. However, this is as far as it goes. Beyond legal stay, there are no mechanisms in place to coordinate or facilitate the transfer of rights or integration. The Employment Service of BiH and entity-level agencies collect limited administrative data on issued work permits, but these datasets do not include information on accompanying family members, duration of stay, employment conditions, or work contract typology, or social insurance contributions. The social contributions are strictly tied to the employment contract, but are in no form transferable to dependents (IOM, 2023).

Furthermore, local centres for social work, which operate under cantonal or municipal authorities, based on the different entity structures, lack jurisdiction to provide services to TNFs, especially in cases where foreign workers' dependents are not officially enrolled in local systems (ILO, 2022).

Policy Silences Around Families Left Behind or Accompanying Migrants

Although a growing number of labour migrants have entered BiH in recent years, either through formal employment arrangements or as part of broader regional mobility, there is a marked absence of policy measures addressing the needs of their dependants. Spouses and children who accompany migrant workers or join them through family reunification are not systematically registered, monitored, or supported. Labour migrants' children may face issues accessing public education, especially if they have a temporary residence status, in addition to the potential linguistic and cultural obstacles. Similarly, non-working spouses may be excluded from health insurance benefits from their working spouses because of restrictions in entitlement procedures. They are, however, able to receive health insurance benefits on the basis of permanent residence in the bureau for employment, in the case they have permanent residence in that canton/municipality (ETF, 2022; European Parliament, 2019). There is currently no national, or even entity-level, strategy that includes psychosocial support, language assistance, or orientation programmes for migrant families.

In contrast to this example, some regional countries have taken initial steps toward creating a support mechanism for TNFs. For instance, Serbia's migration strategies incorporate measures for family reunification, in addition to children's rights and procedures to adequate education, and community-level psychosocial services. Similarly, another successful example of proper reform is given by North Macedonia and Georgia, which have developed psychotherapy groups and specialised training for local social workers to aid families of foreign migrants, including labour migrants. BiH, unfortunately, is yet to take similar steps. So far, BiH has mainly been dependent on donor-led pilot projects, such as those implemented by UNICEF or Caritas, which lack the influence, sustainability, and institutional support needed for meaningful reform (Caritas BiH, 2021).

The Path to Entitlements

As things stand, Bosnia and Herzegovina's frameworks for social protection of foreign workers and their families remain fragmented and often inaccessible. Health and social insurance systems are primarily tied to formal employment, which excludes many migrant households from adequate protection, particularly when employers fail to provide official contracts (Labour Law of FBiH, 1999; Labour Law of RS, 2016). In practice, access to healthcare requires either an employment contract that ensures the payment of contributions or coverage through a spouse who is already insured.

The distinction between employment contracts is crucial. The *ugovor o radu* (contract of work) obliges employers to pay social contributions, thereby granting workers rights to health, pension, and unemployment insurance, while the *ugovor o djelu* (contract of act) does not. Both fixed-term and open-ended contracts fall under the first category, though their security and scope differ (Labour Law of FBiH, 1999; Labour Law of RS, 2016). Even when formally insured, however, healthcare access is geographically limited. For example, a worker insured in the Federation of BiH may only be entitled to public services within their canton of residence, a restriction that raises broader questions of inequality and institutional fragmentation (ZZO KS, 2023; Health Insurance Fund of RS, 2023).

Foreign workers who obtain a residence permit and formal employment contract must be registered by their employer with the relevant contribution systems, covering both health and pension insurance under the same conditions as nationals (Law on Aliens, 2015; Labour Law of FBiH, 1999; Labour Law of RS, 2016). This registration provides access to healthcare services and allows the accumulation of pension entitlements. Once enrolled, migrant workers are entitled to the same scope of primary, secondary, and emergency healthcare as domestic employees (ILO, 2022; ZZO KS, 2023; Health Insurance Fund of RS, 2023).

Insurance rights may also extend to immediate family members, but under restrictive conditions. A spouse must be unemployed and uninsured elsewhere, while children are generally covered until the age of 15, or 18 if they remain in education. Applications require documentation such as proof of employment, marriage or birth certificates, and confirmation that dependents are not covered under another scheme (ZZO KS, 2023). Beyond paperwork, dependents must also

hold legal residence in the country, typically acquired through family reunification procedures outlined in the Law on Aliens (2015). Only after meeting these criteria can insured migrants apply for the inclusion of their family members (Ministry of Security BiH, 2023). Additionally, there are certain exemptions regarding the transferability of health insurance, dependent on existing bilateral agreements between BiH and specific countries, like Serbia, Montenegro, Austria, or Turkey. Such bilateral agreements often ease this process. However, without such agreements, the healthcare procedure and allowance are determined and coordinated solely by the domestic legislation (Ministry of Security of Bosnia and Herzegovina, 2024). Moreover, the public education system in Bosnia and Herzegovina (BiH) lacks sufficient mechanisms to effectively include migrant children. The system's failure to provide language support programmes and to equip educators with cultural sensitivity training has resulted in significant challenges for migrant students attempting to integrate into schools. These difficulties are particularly acute for children from non-Slavic linguistic backgrounds, who face considerable language barriers (Šahović, 2016; Dolan, 2020). In contrast, Croatia has introduced integration strategies such as Croatian language instruction and intercultural education initiatives, which have proven successful. As highlighted in the FICE Croatia report (2022), these inclusive educational practices have enhanced both academic performance and social integration among migrant children, presenting a potentially valuable example for BiH to follow. Both international and local organisations, including the International Organisation for Migration (IOM), the United Nations Development Programme (UNDP), and various national NGOs, have initiated targeted efforts aimed at fostering migrant inclusion and encouraging policy reform. For example, the IOM has collaborated with the government of Bosnia and Herzegovina to formulate strategies for improved migration governance, though the actual execution of these strategies has so far been limited (Agency for Work and Employment, BiH, 2024). These initiatives frequently encounter structural barriers, largely stemming from BiH's highly decentralised political framework, where social and labour policies differ markedly between entities and cantons. Sarajevo Canton stands out as a region that has shown greater receptiveness to integration efforts, whereas progress in other areas is hindered by either limited administrative capacity or divergent political agendas (Agency for Work and Employment, BiH, 2024).

Political and Societal Responses to Transnational Families in Bosnia and Herzegovina

Following the principles of narrative policy analysis, this section interprets the dominant political and media narratives surrounding transnational families in Bosnia and Herzegovina and situates them within a broader political sociology framework. The analysis draws on a combination of secondary literature, policy documents, NGO reports, and content reviews of major national media outlets and parliamentary discussions to trace how migration-related discourses are formed and reproduced. These data sources were selected to reflect a cross-section of both institutional and public narratives, allowing triangulation between policy-oriented texts and media discourse.

The public and political narratives regarding transnational families in Bosnia and Herzegovina still remain quite ambiguous and vague. When analysing the points made in governance and migration policy studies, we can see that policy design and implementation are shaped as much by public narratives as by institutional frameworks (Boswell et al., 2011; Scholten, 2013). In Bosnia and Herzegovina, political leaders and figures have not created a coherent narrative surrounding labour migration, especially when it comes to social benefits. This has clearly resulted in a lack of momentum in creating such initiatives at any administrative level in the country. Moreover, local mass media outlets tend to convey twofold attitudes of the public towards TNFs and labour migrants more generally, one related to overall empathy for refugee families, which has to do with Bosnia and Herzegovina's history of displacement in the 90s due to war as well, that does not, however, translate the same for labour migrants in particular (Savić et al., 2018; Krasteva, 2011). Regarding labour migrants, especially those who originate from linguistically and culturally different countries, like Bangladesh, Nepal, or India, these groups are often portrayed with a layer of populism that frequently puts them through a more negative lens, such as competitors in the labour market, rather than necessary help. These publicly shown images are sometimes encouraged and exacerbated by particular political parties in the country, as well as media channels that use migration as a discursive populist tool for gaining popularity rather than as an issue of social development. Additionally, a similar story is with social media, whereby although there is space for migrant storytelling and general support for the community through humanitarian actions, there is

also the side of social media that showcases xenophobic discourse (Krasteva, 2011). Labour migration from South and Southeast Asia is specifically vulnerable to racialised policy silences. Workers from countries such as Nepal, India, and Bangladesh are frequently framed in media portrayals as “cheap labour” or as “culturally alien,” often in contrast to workers from neighbouring Slavic countries who are presumed more compatible with the Bosnian society due to linguistic and cultural similarities. This aligns with the general idea of welfare chauvinism, the belief that welfare should be reserved for the local population (Lutz, 2019; Kymlicka & Banting, 2006).

Similarly to the media representation, the political narrative concerning TNFs is also portrayed twofold. Economic experts and representatives often include labour immigration and their inclusion into the job market in Bosnia and Herzegovina as necessary and beneficial for the economy in order to mitigate the existing deficits in particular sectors (Pašić, 2024). On the other hand, a portion of political groups and some informal labour organisations convey their concerns regarding labour migrants, describing them as potential threats to the local citizens’ job opportunities. This dual narrative has unfortunately led to labour migration policies being oriented more towards the economic side of the story, rather than including more social aspects, including the family factors, into policymaking (Savić-Bojanić & Jevtić, 2021).

For example, media coverage of refugee families tends to draw on Bosnia’s own history of displacement in the 1990s, eliciting sympathy and reinforcing narratives of shared trauma. However, these solidaristic frames rarely extend to TNFs, especially those whose cultural or religious identities are perceived as “foreign.” This discursive bifurcation results in a two-tiered moral economy: one that humanises some migrants while rendering others invisible or threatening. This selective empathy is mirrored in political discourse, where economic arguments dominate the justification for labour immigration, leaving social and human rights considerations marginalised. Interestingly, this narrative seems to be altered in real-life settings where thoughts are surpassed by living examples of communities that experience these dynamics, economically and socially. The example of the city of Vareš in Bosnia and Herzegovina is an excellent portrayal of how with the arrival of over 200 foreign workers employed by a local mining company, Adriatic Metals, the community significantly changed its demographic and social

landscape from a fairly homogenous one to a more receptive heterogeneous community that now promotes both the economic and social benefits from successful migrant integration (Sito-Sučić, 2024). The company's investments have jump-started the Vareš economy through the creation of a job market and overall improvement in sectoral knowledge, bringing about more receptiveness amongst the local population. According to Zdravko Marošević, the mayor of Vareš, the town has experienced a boom in employment and development thanks to the new sectoral openings opened by companies like Adriatic Metals (Gojak, 2024). While this shows the potential for local-level openness and pragmatism, it, unfortunately, remains the exception rather than the rule.

Regional Differences in the Integration of Transnational Families

Looking at how other semi-peripheral post-socialist countries in the region approach this issue can offer useful ideas for shaping policies in BiH. While all Western Balkan countries have witnessed an increase in foreign labour migration over the past decade (Pašić, 2024), Croatia and Serbia have developed more coherent institutional frameworks. Croatia stands out, especially with its efforts to help foreign workers settle in, mainly along the Dalmatian coast, where tourism plays a big role. Their programs include language lessons and cultural orientation sessions, which have made it easier for migrant workers to fit into local communities (IRMO, 2022; IRMO 2022a). Just in 2024, Croatia issued more than 172,000 work permits to foreign nationals, with most workers coming from Nepal, India, and the Philippines (Škromlj, 2025). National and local-level efforts, spearheaded by the Croatian Ministry of Education in partnership with NGOs like FICE Croatia, have also focused on inclusive education for migrant children. These programmes address linguistic and cultural barriers through structured language education, intercultural orientation, and family support mechanisms, ensuring that children of migrant workers are included in the broader integration strategy (FICE Croatia, 2023). Serbia offers another regional point of comparison, having recorded a consistent rise in foreign labour presence. In 2024, the country granted more than 50,000 foreign work permits, primarily in the construction and manufacturing sectors, with Belgrade serving as the main hub for migrant labour (Jelovac, 2023). Although Serbia has made progress

in simplifying the permit process and reducing bureaucratic obstacles, the country still lacks comprehensive integration policies for transnational families. Nonetheless, scholarly work by researchers such as Petrović & Lukić (2017) has noted the emergence of informal support networks, particularly in urban areas like Belgrade, where local communities have begun to engage more actively in migrant inclusion efforts.

Compared to these two countries, BiH remains significantly behind in administrative coordination, policy responsiveness, and public narratives. The decentralisation of BiH's governance system leads to insufficient and dismantled procedures and inefficient or non-existent policy enforcement. While some administrative units, like Canton Sarajevo, show momentum in initiating the integration of migrant children in education systems or offering some opportunities for healthcare access through the main family breadwinner in BiH, others lack both the political will and bureaucratic capacity to do so. The result of this is a postcode lottery for TNFs, where the potential access to education, health insurance, and social support depends heavily on which administrative unit they're officially a part. In contrast, the example of Croatia's coherent and centralised structure ensures the equal implementation of relevant policies is ensured (IRMO, 2020), and the case of Serbia shows that even though it has generally lower capacities to create and implement these policies efficiently, there is visible movement on this front due to their centralised system and ministries (Jelovac, 2023). In addition to institutional support and willingness, a lot depends on the coherence of public discourse and media representation of the role of labour migrants. The case of BiH, as mentioned in section 2, reflects the decentralised institutional framework, allowing for a mix of positive economic stories related to labour migration and xenophobic welfare narratives encouraged by populist rhetoric. In contrast to BiH, Croatia has adopted national-level strategic communications that highlight the economic benefits the country is enjoying because of labour migrants (IRMO, 2020). This may have to do with Croatia's EU membership status, which incentivises such actions and highlights the importance of social policy frameworks in this context. Although BiH is officially a candidate country, no such efforts have been put forth just yet, and it mainly relies on foreign donors and funding in order to commence such initiatives. As argued by Barlett and Danaj (2021), the Western Balkans' welfare states, with an emphasis on BiH, are barely moving forward because of

this donor-dependence and internal fragmentation. With no internal strategy or coordination to push for such changes independently, there is likely a high risk for BiH to fail to fulfil the market needs that are becoming more and more evident.

Gender, Ethnicity, and Vulnerability in Transnational Families

A growing body of literature emphasises that migration is deeply gendered, not only related to those who migrate and why, but also in how migrants navigate state institutional systems (Kofman et al., 2022; Saharso & Timmerman, 2020). Gender dynamics significantly influence migration patterns in Bosnia and Herzegovina. Traditionally, it is male labourers who migrate first, typically securing employment in physically intensive fields such as construction and manufacturing, and subsequently facilitating the migration of their spouses and families. At the same time, recent trends portray a significant shift in the services sector and the beauty industry, specifically in larger cities, like Sarajevo and Banja Luka, where more women from countries such as the Philippines, Ukraine, and Vietnam are arriving as labour migrants, ergo, primary breadwinners (IOM, 2023). In many cases, it is female migrants who come first and later arrange for their families to join them. However, even with these changing dynamics, there is still a noticeable lack of policies designed to meet the specific needs of transnational families, especially around family reunification and social integration (IOM, 2023). This gap in policy continues to make it harder for TNFs to fully participate in and contribute to life in Bosnia and Herzegovina. The experiences of TNFs are also shaped by the intersections of gender and ethnicity. Female migrants often take on caregiving responsibilities in addition to employment, and are more likely to experience social isolation, because of the hardships they face navigating the institutions, while migrants with disabilities may face significant obstacles in accessing basic services (Selimović et al., 2023; Savić, et al., 2018; Morokvašić, 2024). Even though gendered patterns in migration are clear, BiH still lacks policies specifically designed to address the gender-related needs of TNFs. Notably absent are tailored support systems for female-headed households, culturally appropriate childcare services, and adequate access to reproductive healthcare. The current legal provisions fail to sufficiently reflect the varied migration experiences of different groups, leaving many women and children particularly

susceptible to marginalisation and social exclusion (Dolan, 2020). The country generally lacks an intersectional lens in addressing migration-related issues, as well as general bureaucratic processes that may address needs of women as caretakers and breadwinners. The intersectionality theory can be applied here to reveal how gendered patterns in migration, specifically related to labour are significantly impacted by ethnicity, disability, linguistic background, and so on (Crenshaw, 1989; Yuval-Davis, 2006). As mentioned, migrants from culturally proximate countries encounter fewer obstacles that have to do with language, prejudice, and institutional locks, those from culturally distant regions may face more racialised discrimination, limited language support, generally leading to social isolation (Crenshaw, 1989). This can be particularly seen in female labour migrants who are also mothers of school-age children, who then need to navigate not only the system for their needs, but also that for their child, that also lacks adequate support. In comparison, Croatia can be taken as a positive example as the country has managed to make serious progress in tackling the issues related to sudden labour surge. In 2023, the Croatian Office for Human Rights and Rights of National Minorities issued a report, whereby they emphasised the extent to which they've been able to overcome gender-sensitive issues in the migration strategies of the country. They mention ensuring equal access to legal assistance, social services, and family reunification mechanisms, as well as providing training on intercultural relations and gender for the healthcare and educational staff in the related institutions (2023). Furthermore, in 2024, statistical data from the Croatian Ministry of the Interior showcased that approx. 45% of the foreign workers in Croatia are women, employed in the sectors of hospitality, services, and care work, pointing to successful efforts of promoting and mainstreaming gender-sensitive policies for migration strategies (Ministry of the Interior Croatia, 2024). Unfortunately, BiH is yet to create and implement such policies to target this specific sensitivity in the context of labour migration. This being said, without an intersectional framework to guide the policy-making process in BiH, it further risks exacerbating structural inequalities related to TNFs, which carry some of the most vulnerable groups very often, particularly women and children, especially from culturally distant regions. The failure to make progress on this path can seriously contravene human rights standards in the country and generally undermine the long-term efficiency of BiH's migration strategy.

CONCLUSION

This paper has examined the evolving dynamics of the administrative and legal processes related to labour migration in Bosnia and Herzegovina from the viewpoint of social protection and family integration, focusing specifically on transnational labour migrant families, including the dependents. As BiH shifts from being a mainly emigration-oriented country to an increasingly attractive destination for foreign labour, its policy and institutional frameworks remain underdeveloped. In spite of clear demographic and economic needs to adapt its system to accommodate both the market and the social needs, BiH continues to cast a shadow of procrastination on handling these burning issues. TNFs in BiH continue to encounter significant obstacles in accessing healthcare, education, and social support, especially those migrants who are working on a short-term basis or those with non-Slavic or racialised profiles.

Analysing these inefficiencies through the lens of transnational social protection shows how BiH's welfare institutions are inadequately equipped to address the basic needs of TNFs. BiH should be recognising social protection as a necessary, transferable, rights-based framework that goes beyond formal employment and residence permits, making access conditional. This is especially problematic given the growing reliance on seasonal, informal, or contract-based migrant labour in sectors like construction, services, and tourism. Drawing on a political sociology perspective, it argued that migration and social protection are institutionally and discursively decoupled in Bosnia's governance system. Migrant workers who carry overlapping identities that contain not just their status as migrant workers, but also as caregivers, present an even larger issue and are in no way addressed by policymakers. This institutional silence mirrors the deeper policy-making issues shaped by bureaucratic fragmentation, donor dependence, and the framing of labour migration as a quick fix to market-related issues, rather than an equal part of the society that requires social support. While the country is a long-term signatory of crucial international conventions, such as the *Revised European Social Charter* and the *UN Convention on the Rights of Migrant Workers*, BiH has yet to implement these normative commitments into a concrete strategic document. Policy approaches remain reactive, residual, and project-based, driven largely by international organisations rather than domestic reform efforts. This policy gap jeopardises the exacerbation of the existing social inequalities

through these administrative hurdles, especially when taking into consideration an intersectional approach to this issue.

Additionally, including governance theory in the analysis allows one to uncover that these shortcomings are not only legal voids, but rather deeper issues of weak policymaking and faulty administrative capacity. The integration of TNFs is not solely a question of legal reform, but also of administrative coordination and normative change. It requires a coherent state or entity-level strategy that would have the capacity to merge administrative divisions and foster an inclusive process across all administrative levels. The highest priority ought to be given to simplifying the family reunification procedures that would further alleviate the complex access to healthcare and adequate education. Lastly, this paper argues that BiH must reconceptualise social protection not as a conditional entitlement tied strictly to full-time employment, but as an essential and non-negotiable right for all dependents of the labour migrants.

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VAN OKVIRA RADNIKA: ISKLJUČENOST PORODICA RADNIH MIGRANATA IZ SISTEMA SOCIJALNE ZAŠTITE U BOSNI I HERCEGOVINI

Sažetak: Ovaj rad istražuje kako fragmentirani sistem socijalne zaštite u Bosni i Hercegovini odgovara na potrebe transnacionalnih porodica radnika migranata – problem koji postaje sve značajniji kako zemlja prelazi iz konteksta emigracije u zemlju odredišta za niskokvalifikovane strane radnike. Praznine u pristupu zdravstvenoj zaštiti, obrazovanju i porodičnim uslugama stvaraju društvene nejednakosti koje nose rizik dugoročne isključenosti. Cilj studije je identificirati administrativne, pravne i političke prepreke s kojima se migrantske porodice suočavaju te ponuditi preporuke za unapređenje institucionalnih odgovora. Metodološki, rad se oslanja na narativnu analizu politika i pravno-institucionalni pregled, uz teorijski okvir transnacionalne socijalne zaštite, studija upravljanja i interseksionalnosti. Uzorak čine relevantni zakoni, strateški dokumenti i javni diskurs, dopunjeni regionalnim poređenjima s Hrvatskom i Srbijom. Nalazi pokazuju da je pristup socijalnim pravima u Bosni i Hercegovini i dalje usko povezan s radnim ugovorima i boravišnim dozvolama, zbog čega mnoge porodice ostaju bez adekvatne zaštite. Štaviše, javni i politički narativi često radijaliziraju migrante ili ih svode na isključivo ekonomske aktere, zanemarujući oblike njihove šire društvene ranjivosti. Rad zaključuje da Bosna i Hercegovina mora razviti centralizirani, na pravima zasnovan okvir socijalne zaštite kako bi se adresirala strukturna isključenost transnacionalnih porodica. Preporuke uključuju jačanje institucionalne koordinacije, depolitizaciju migracija u javnom diskursu te prilagođavanje socijalnih usluga potrebama radnika migranata i njihove djece.

Ključne riječi: radne migracije, transnacionalne porodice, socijalna zaštita, administrativne politike, Bosna i Hercegovina