



Bosnia and Herzegovina
Ministry for Human Rights and Refugees
Department for Diaspora



University of Sarajevo
Faculty of Political Sciences
Institute for Social Science Research



MIGRATION

from Bosnia and Herzegovina

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Foreword

The publication in front of you is a collection of presentation texts, given at the "Research Workshop on Migration from Bosnia and Herzegovina" international scientific gathering held on 10-11 September 2012 in Sarajevo. The initiative to organize this type of thematic workshop came from the Ministry for Human Rights and Refugees (Department for Diaspora), and it was implemented in partnership with the Institute for Social Science Research at the Faculty of Political Sciences, University of Sarajevo, which has recognized the social relevance of this topic and accepted the offer for cooperation without hesitation. The importance of the project was also affirmed through the commitment of the Government of Switzerland and the Technical Assistance and Information Exchange Instrument of the Directorate-General for Enlargement of the European Commission (TAIEX) to provide financial support for its implementation.

Justification for such a workshop is manifold, and is primarily reflected in the fact that Bosnia and Herzegovina, as a traditionally emigrant country, experienced a particular exodus of its population during the war (1992-1995), which, in proportion to its population, places BiH among the countries with the largest emigrant population. Emigration, mainly caused by the socio-economic reasons, continued in the post-war period as well. According to the estimates from the World Bank, BiH is ranked second in Europe - after Albania - based on the scope of emigration of the total population, with 1,471,594 emigrants, accounting for 38.9% of the total population of BiH. Additionally, with a high rate of emigration of highly educated population and physicians, 23.9% and 11.1% respectively, BiH also occupies one of the leading positions in Europe and the world.¹ According to the estimates of the Ministry for Human Rights and Refugees, total number of emigrants from BiH and their descendants - second and third generations - is around 1,700,000. Most of them live in European countries: around 240,000 live in Germany, around 150,000 in Austria, around 150,000 in Slovenia, around 80,000 in Sweden, around 60,000 in Switzerland, as well as around 350,000 in the USA, around 50,000 in Canada and around 60,000 in Australia.

Organization of this workshop was imposed as an imperative without alternative, as well as because of the lack of courses studying migration and migrants in the academic curricula in BiH, nonexistence of the network of researchers, and the general lack of information regarding the conducted research, as well as because of the lack of reliable statistics on emigration. In the Migration and Asylum Strategy of BiH for the period 2008-2011, the following gaps were identified: lack of data on the entire diaspora, lack of information on citizens who left the country as highly skilled emigrants, lack of data on how many members of the diaspora hold dual citizenship, lack of data on how many migrants are employed outside of BiH and how many are still registered as unemployed with the Employment Agency of BiH, lack of data on the educational profile of the diaspora, etc. Although this Strategy concludes that

¹World Bank, Migration and Remittances Factbook, 2011

the lack of data on emigration from BiH is one of the main problems for the development of appropriate policies in this field, the Action Plan of the Strategy did not develop actions to mitigate the identified shortcomings. This is partially corrected in the new Migration and Asylum Strategy of BiH.

Under its jurisdictions regarding the diaspora, the Ministry for Human Rights and Refugees participated in the drafting of the Migration and Asylum Strategy of BiH for 2012-2015 which, once again, highlighted the lack of statistical data and research on migration, diaspora and its developmental resources, and which provides specific solutions for this problem in its Action Plan. The proposed activities are as follows: to support the development of academic research in the field of emigration, to organize international research meetings in order to establish a network of researchers for further research, to promote the importance of migrations for development through workshops and seminars for institutional representatives in BiH, to raise awareness on the importance of migrations for development of private, academic, and non-governmental sector, and the media, as well as other activities. This workshop represents the implementation of one part of the activities of the Migration and Asylum Strategy.

Panel workshops were designed to cover the most important aspects of migrations and migrants from BiH, such as demographic, social, economic, cultural-anthropological, political, legal, gender, and other aspects in host countries.

During the workshop, the following researchers presented their research papers on the topic of migration and diaspora from BiH: Marko Valenta, Žan Štrabac (Norway), Branka Likić-Brborić, Li Bennich-Björkman, Roland Kostić (Sweden), Samuel Behloul, Bashkim Iseni (Switzerland), Tanja Pavlov, Jelena Predojević-Despić (Serbia), Vedran Džihić, Damir Hamzić (Austria), Hariz Halilovich (Australia), Ana Marić (Germany), Mojca Pajnik (Slovenia); Marina Glamotchak (France), Snježana Gregurović, Dragutin Babić, Filip Škiljan (Croatia), Mirza Emirhafizović, Saša Madacki, Aida Spahić (Bosnia and Herzegovina).

Introductory presentation titled *Why this workshop?* was held by Ruzmira Tihčić-Kadrić, Assistant Minister in the Department for Diaspora, and the workshop was moderated by: Srebrenka Viđen, PhD, Lejla Turčilo, PhD, assistant Amer Osmić, senior assistant Mirza Emirhafizović, MSc at the Faculty of Political Sciences, University of Sarajevo, director of the Center for Human Rights of the University of Sarajevo, Saša Madacki, MSc, and Roland Kostić, PhD, director of research in Holocaust and Genocide Studies / Balkan Studies at the Centre Hugo Valentin, University of Uppsala.

The panelists presented papers on the following host countries - destinations of many immigrants of BiH origin: Australia, Austria, France, Croatia, Norway, Germany, United States of America, Slovenia, Serbia, Sweden, and Switzerland, although some authors presented a general review of the diaspora.

The concept of the workshop has even greater significance as it shifted from the conventional reductionist concept of migration from BiH as the movement of refugees, which caused a very lengthy and utterly complex phenomenon to be limited to the war period (1992-1995) and reduced to emigration caused by the tragic events of that period. Accepting the fact that seventeen years have passed since the end of the war - the years during which the refugees from BiH not only changed their status, but the diaspora became the stabilizing force of the economic situation in the country through the remittances they send to their families - emphasizes the wider context of consideration and, thus, a better understanding of the position of this population. In this regard, several important facts should be noted:

- A significant percentage of the emigrant population from BiH are individuals who grew up or were born in the host country.
- People who were educated and gained experience abroad are seldom recognized in BiH as the great intellectual potential.
- Economically active immigrants are aging, i.e. transitioning into the post-working contingent, which reduces their solvency.
- Poor economic situation and lack of opportunities in BiH generally discourages the return of persons of working age, but it is unclear whether there is interest among the retired migrants for return on a larger scale.

Many of the issues arising out of the above arguments, such as identity, integration, and status in the immigrant societies, ability to return, relations with the country of origin, achievement of the *brain gain* effect, negative repercussions which may be caused by the decline in cash transfers in the foreseeable future, as well many others, were discussed during the presentations, but were also elaborated in the papers written by the authors published in this book. This conference can, therefore, be characterized as a pioneer project as the multidisciplinary approach to the issue of migrations from BiH enabled the defining of the innovative research agenda which specifically emphasized the perspective of Bosnian diaspora. By emphasizing the issues that deserve to be explored in the future due to their importance, one of the main objectives of the project - to identify priority research topics - was fulfilled.

All conclusions and recommendations arising from the workshop emphasize the importance of further and continuous cooperation which should yield results in the following segments:

- establishment of a database of researchers in the field of migration, a virtual library and open repository, as well as the creation of a separate link on the website of the Ministry for Human Rights and Refugees of BiH, in order to store all relevant information in one place (implemented projects, research papers, calls for delivery of project proposals, invitations to conferences, exchange of academic staff, etc.)
- establishment of the "supra network" and associations of researchers working on the issue of migrations from BiH;
- development of partnerships in projects of interest for BiH;
- institutional cooperation in the design and implementation of postgraduate and doctoral study programs in the field of migrations;
- organization of thematic meetings / research forums, summer schools of the international character;
- founding of an academic journal for publishing scientific and technical papers in the field of migrations (modelled on similar journals from the region);
- methodological harmonization which would enable the comparison of results, and affirmation of the multidisciplinary approach in order to include the greatest number of researchers;
- planning of the next meeting in two years, when the focus of the *brain gain* and *brain drain*, once more under the leadership of the Ministry for Human Rights and Refugees.

The workshop was inaugurated by Deputy Minister for Human Rights and Refugees, Radmila Mitrović, Head of the Operations Section for Justice and Home Affairs and Public Administration Reform of the EU Delegation to BiH, Severin Strohal, and Dean of the Faculty of Political Sciences, University of Sarajevo, Šaćir Filandra, PhD, while the director of Swiss Cooperation Office in BiH, Joseph Guntern, addressed the participants towards the end of the workshop.

The workshop program attracted the interest and attention of the representatives from the academia, media, government institutions, governmental and non-governmental organizations, who followed its course and actively participated in the discussions.

Panelists and discussion participants greatly contributed to shedding light on the lives of Bosnian emigrants. The real picture, as it was shown, is quite different from the stereotypes prevalent in the local public discourse.

Publishing of this book represents the best way to document the two-day program of the *Research workshop on migration from BiH*, and the book is intended for anyone with an interest in this subject, primarily researchers, students, and teaching staff. Necessary actions were undertaken for this purpose (collection of texts, editing, bilingual translation and proofreading, design and DTP), and it took many months of work by a team of editors and professionals in their field for this publication to see the light of day.

The book was printed in the official languages of BiH, while the English version will be published in electronic form in March 2013 on the websites of the workshop organizers and donors, and will be printed at a later date.

The order of texts in this book corresponds to the original schedule of presentation within specific panels, and is not indicative of any gradation according to the importance. Unfortunately, readers will not have the privilege of access to the content of presentations of all panelists, as some presentations were not adapted for publication, primarily due to the authors' lack of time during the call for papers. Their workshop presentations are available on the website of the Ministry for Human Rights and Refugees www.mhrr.gov.ba (Iseljništvo).

We believe that this book will supplement the very frugal domestic bibliography of migrations and migrants from BiH, and we hope that the academic audience will receive it as a valid source, and that it will be met with positive reactions from the wider reading audience.

On behalf of the project partners,

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Institutional Framework in Support of Migrations: Labour Migrations between Bosnia and Herzegovina and Serbia

Abstract

The aim of this paper is to analyze the existing voluntary migration flows between Bosnia and Herzegovina (BiH) and Serbia, as well as the possibilities of developing institutional framework that would enable the use of the development potential of these forms of migration in the best possible manner. The paper consists of three sections: the first section points out the characteristics of voluntary migration flows from BiH into the Republic of Serbia in the last decade, based on the analysis of available statistical data on this group of migrants, and especially the labour migrants from BiH, at the same time identifying the major problems and challenges in monitoring these phenomena. The second section analyzes the legal framework governing the voluntary migrations, especially the labour migrations, while the third section points to the challenges in the implementation of institutional framework, as well as to the opportunities for improvement, in order to ensure the benefits for all stakeholders in the migration process - migrant workers and their families, countries of origin and of destination.

Key words: voluntary migrations, labour migrations, institutional framework, Bosnia and Herzegovina, Serbia.

Introduction

In the last few decades, there has been a change in the nature of international migration trends and spatial mobility of population at the global level: the increase in the number of migrants, as well as the diversity of migration flows and patterns, with an emphasis on temporary and circular migration, but also the increasing complexity of the manners of covert, illegal forms of migration. They were also influenced by significant changes in the political scene in Europe and the world, as well as by the effects of globalization, development of telecommunications, information technology revolution and so on (Bauman, 1988; Castels, 2002; De Haas, 2008). These changes, which have not bypassed the population of the Western Balkans, together with the complex migratory context and the burden of forced migratory movements caused by the turbulent political events and the war in the former Yugoslavia, indicate the pressing need for continued study of migration from different perspectives. This is supported by the findings of demographic studies, which suggest that the unfavourable trends within the age structure of the population of the Western Balkans will open new questions in the field of migration within the region in the foreseeable future. It is believed that, in the near future, the process of aging and negative relationship between the number of the elderly and the size of the working population will lead to a large negative pressure on the economic systems of most Balkan countries. Immigration stands as one of the most realistic solutions for overcoming this problem, given that most of the immigrant population comes from the working-age population, aged between 20 and 40 years (Nikitović, 2009). This suggests that, in the near future, migrations will become one of the major questions, not just regarding the

demographics, but also regarding the overall socio-economic development of the Western Balkans.

Thus, the objective of this paper is to analyze the existing voluntary migration flows between BiH and Serbia, as well as the possibilities of developing an institutional framework that would enable the use of the development potential of these forms of migration in the best possible manner. The paper consists of three sections: the first section points out the characteristics of voluntary migration flows from BiH into the Republic of Serbia in the last decade, based on the analysis of available statistical data on this group of migrants, and especially the labour migrants from BiH, at the same time identifying the major problems and challenges in monitoring these phenomena. The second section analyzes the legal framework governing the voluntary migrations, particularly the labour migrations, while the third section, based on the interviews with migrants and representatives of the National Employment Service of the Republic of Serbia (NES), points to the challenges in the implementation of the institutional framework, as well as to the opportunities for encouragement of this type of migration in order to ensure the benefits for all stakeholders in the migration process - migrant workers and their families, countries of origin and of destination.

Statistics of monitoring the migrations between BiH and Serbia

While reviewing the statistics that deal with external migrations, it cannot be said that they provide a sufficiently solid basis for ongoing study, better understanding, and prediction of further migration flows. This, of course, also carries negative implications for the adoption of meaningful institutional solutions in order to overcome the adverse situation. It should be emphasized that the statistics of monitoring the migration flows and stocks is not only a stumbling block in Serbia or BiH, but in most countries as well, suggesting that raising the quality and methodology of monitoring is essential. Although the statistical data on external migrations can be obtained from various domestic and foreign sources, most of the available data is methodologically inconsistent, adjusted according to the definitions of the migrants and the needs of countries in which the migrations are monitored. In a number of cases, these data are not fully available, are often obtained only with the approval, their content is less comprehensive (especially when talking about the demographic and socio-economic structures of migrants), and they are often presented as an aggregate, without the possibility of regional or territorial monitoring (Penev, Predojevic-Despic, 2012). Given the nature of our work, we will point out certain limitations in the statistical monitoring of external migration flows in the two observed countries.

According to the estimates of the Ministry of Human Rights and Refugees, the number of BiH nationals in Serbia is around 150.000, accounting for approximately 9% of the total number of registered persons of BiH origin worldwide. On the other hand, according to the results of the Census of Population in the Republic of Serbia in 2002, around 131.000 citizens born in BiH are currently living in Serbia.

Table 1. Number of BiH and Croatian refugees in Serbia (1996-2010)

Year	1996.	2001.	2004.	2008.	2009.	2010.
BiH	232974	242624	27541	24943	24917	21458
Croatia	290667	242624	76546	72411	72763	64695

Source: KIRS, 2008; KIRS, 2011.

Migration from Bosnia and Herzegovina

According to the results of the Commissariat for Refugees of the Republic of Serbia (*Komesarijat za izbeglice Republike Srbije - KIRS*) - (Table 1), in mid-2010, there were less than 21.000 refugees from Bosnia and Herzegovina living in Serbia, and three times as many refugees from the Republic of Croatia. In comparison to 1996, the number of refugees from BiH was reduced tenfold.

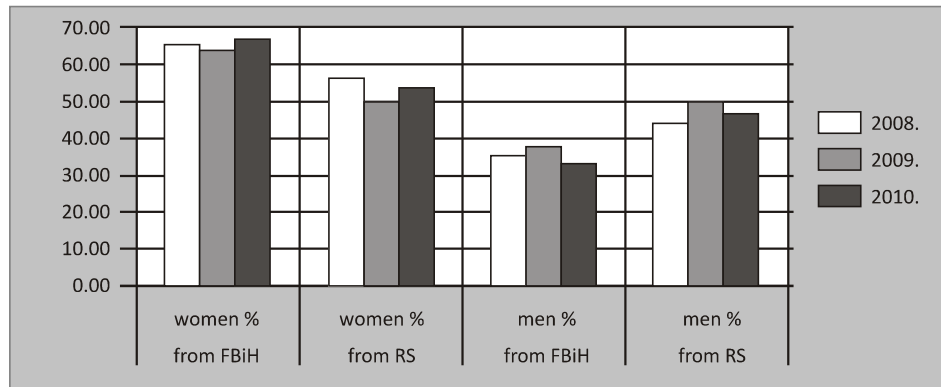
The report of the Commissariat states that this reduction is largely the result of integration in the Republic of Serbia, as more than 200.000 refugees have obtained citizenship of the Republic of Serbia. It also states that 31% of the total number of refugees returned to BiH.

Table 2. Number of migrants from BiH to Serbia, 2008-2010

	Total rom BiH	From FBiH	From RS	From Brčko district
2008.	924	485	421	18
2009.	680	338	327	15
2010.	689	313	356	20

Source: BiH, Federation of BiH, Federal Office of Statistics - documentation

Figure 1. Sex structure (%) of migrants from BiH to Serbia, 2008-2010.

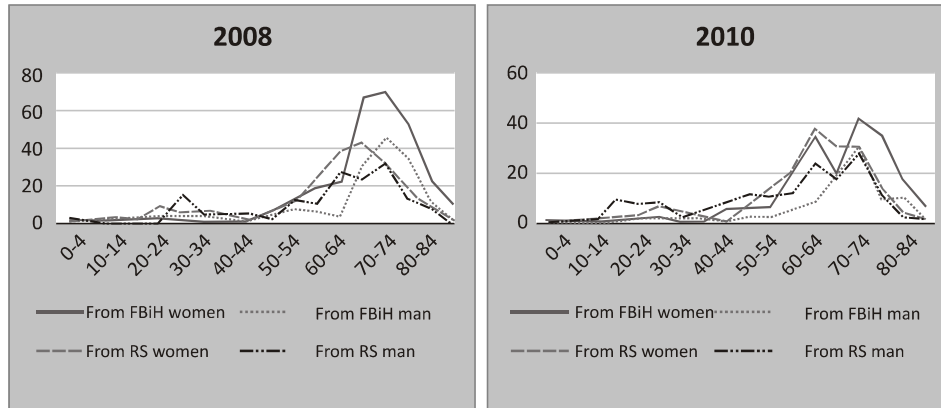


Source: BiH, Federation of BiH, Federal Office of Statistics - documentation

Data on the number of emigrants from BiH to Serbia, gathered by the Federal Office of Statistics of BiH, reveals a picture of migration flows which deviates from the usual, as the migrant population largely consists of the working population contingent. Since data were available only for the period from 2008 to 2010 (Table 2), no precise analysis or firmer conclusions can be drawn. However, apart from small differences in the number of emigrants from both entities, a significantly higher number of female emigrants can be noted (see Figure 1).

Migration from Bosnia and Herzegovina

Figure 2. Age and sex distribution of emigrants from BiH to Serbia in 2008 - 2010



Source: BiH, Federation of BiH, Federal Office of Statistics - documentation

Additionally, on the basis of the age-sex structure of migrants (Figure 2), it is evident that not only women, but also the elderly population, especially the persons in their 60's and 70's, are significantly participating in these migration flows in both entities, with a somewhat more pronounced emigration of older women from the Federation. Even though it is still quite low, a somewhat higher participation of the working population is noted in the migrations from Republika Srpska to the Republic of Serbia.

Table 3. Number of BiH citizens who are permanent residents, and BiH citizens temporarily residing in the Republic of Serbia in 2007 - 2009

Year	Permanents residents			Temporary residents			Emp.-based migrants		
	2007.	2008.	2009.	2007.	2008.	2009.	2007.	2008.	2009.
BiH	6	7	9	563	599	540	218	288	251
Croatia	100	114	124	446	472	489	102	147	192
Macedonia	235	327	361	1480	1575	1439	263	343	314
Total	5177	5780	6231	16249	16779	16533	6136	6660	6298

Source: Ministry of the Internal Affairs of the Republic of Serbia - documentation charts

According to data from the Ministry of Internal Affairs of Serbia regarding the number of BiH citizens with permanent or temporary residence in Serbia (Table 3), it is evident that the majority of BiH citizens claim temporary residence in Serbia - approximately 3.5% of all granted visas for temporary residence - while the number of permanent residents in the second half of the 2000's was negligible. Also, contrary to most other countries of origin, residence permits for BiH citizens are most frequently given on the basis of employment, rather than on the basis of family reunions or marriage with Serbian citizens.

Migration from Bosnia and Herzegovina

Table 4. Number of BiH students enrolled at the universities in the Republic of Serbia, for academic years 2002/2003 to 2010/2011

Academic Year	Students from BiH Total	Students from BiH Total %	Female students from BiH
2002/2003	5882	2,98	-
2003/2004	5337	2,62	2711
2004/2005	5732	2,62	2768
2005/2006	6179	2,69	2953
2006/2007	6147	2,58	3014
2007/2008	6149	2,59	2922
2008/2009	5777	2,45	2731
2009/2010	5446	2,40	2686
2010/2011	4797	2,10	2409

Source: Statistical Office of the Republic of Serbia - documentation charts

The number of students from BiH is another highly valuable indicator in observing the labour migrations (Table 4), because they are practically one step away from entering this contingent. The number of students from BiH studying at the universities in Serbia during the 2000's has mostly grown and has ranged between 5.500 and 6.200, while the sex ratio was equal. Starting from the academic year 2008/2009, their numbers began to decline, as did the percentage of their participation in the total number of students enrolled in Serbia. These data indicate that, for the adoption of more precise conclusions about the analyzed fluctuations, other statistical sources on the number of students should be more thoroughly monitored, both in BiH and other countries.

According to data from the NES regarding the number of work permits issued (Table 5), a total of 2.573 work permits were issued to foreigners, 98% of which were issued to foreigners with temporary residence. In the observed period, from 2006 to 2011, a constant increase was noted. Additionally, the number of work permits issued to BiH citizens in the same period increased significantly, and in 2011 it accounted for more than 8% of all issued work permits. However, according to the incomplete statistics from the NES, it can be concluded that these are mostly highly skilled workers employed in foreign missions, humanitarian organizations, the construction industry, as well as the entrepreneurs. Most of the work permits for foreigners were issued in Belgrade, followed by Novi Sad, and Loznica. In the majority of cases, visas were issued to men in the 31-40 age group, as well those aged between 21 and 30.

Table 5. Total number of temporary work permits issued to foreign nationals in Serbia (2006 - 2011)

	2006.	2007.	2008.	2009.	2010.	2011.
Total	1699	1721	1990	2387	2546	2573
BiH	110	155	197	213	167	210
Croatia	33	46	59	77	84	126
Macedonia	183	212	221	152	201	242

Source: National Employment Service documentation charts

According to the Law on Conditions for Employment of Foreign Citizens, the request for issuing a "work permit" shall be filed only in the case of the existing employment agreement and it is estimated that the number of foreigners working in Serbia is far greater than the number of issued work permits, as it does not apply to hiring foreigners without employment contracts, members of executive boards, etc. (KIRS, 2011).

Institutional framework of labour migrations between Bosnia and Herzegovina and Serbia

The Republic of Serbia is a signatory to international conventions that are directly or indirectly related to the protection of the rights of migrant workers and members of their families. Precisely these standards are incorporated into the internal legal system of Serbia, and their modification and refinement are regulated through bilateral agreements. Serbia and Bosnia and Herzegovina have formed a number of bilateral agreements, which specifically regulate the areas of employment, education, social security, and the acquisition of citizenship.

A general legal framework which regulates the rights and obligations of foreigners in the Republic of Serbia is applicable for all foreign nationals, including the nationals of BiH. This area is regulated by the Law on Foreigners of the Republic of Serbia and the Law on Citizenship, which regulate the issues of temporary and permanent residence in Serbia, and the acquisition of citizenship. Similar to other legislative systems, the Serbian legal system favours Serbian nationals in the labour market. In the event that there are no Serbian nationals registered at the unemployment bureau, preconditions are created for the employment of foreigners with permanent or temporary residence in Serbia. The Law on Conditions for Employment of Foreign Citizens recognizes the situation in which it is not necessary to obtain permission to sign the employment agreement. Under this regulation, this is possible if the foreign national has been granted a temporary or permanent residence, provided that the employment is based on performing professional activities stipulated in the employment agreement and technical cooperation, long-term production cooperation, transfer of technology, and foreign investment.

The Republic of Serbia and BiH have signed a number of agreements which specifically and adequately regulate the rights of their citizens in the territory of the other country, specifically the statutory rights, and economic, social and cultural rights. The Agreement between the Government of the Republic of Serbia and the Council of Ministers of Bosnia and Herzegovina on temporary employment of nationals of the Republic of Serbia in Bosnia and BiH citizens in Serbia refers to migrant workers, i.e. the persons who are nationals of one party to the Agreement, who legally reside and are temporarily employed on the territory of the other party to the Agreement without seeking residence. Migrant workers are temporarily employed in the state of employment, through relevant stakeholders (National Employment Service in Serbia and the Labour and Employment Agency in Bosnia) at the request of the employer, and in accordance with this Agreement and the legislation of the country of employment. Upon termination of employment, the employer is obliged to pay all wages to the migrant worker, as he/she would any domestic employee. This agreement also applies to family members of migrant workers, regulating their residence and protecting their rights as per the special agreement on social insurance providing protection and enjoyment of rights in all aspects of social security contributions. The agreement between the Government of the Republic of Serbia and the Council of Ministers of Bosnia and Herzegovina in the area of education, culture, and sport envisages the improvement of mutual cooperation in the area of education, referring to the exchange of students, interns, teachers, and scholars. It is

particularly important to emphasize the commitment to jointly work on the analysis of the history and geography textbooks for primary and secondary schools, as a condition for reconciliation in the Western Balkans region. Signatories of this agreement are also obliged to exchange the information and documentation concerning the recognition of qualifications and diplomas.

The agreement on dual citizenship between the Federal Republic of Yugoslavia and BiH stipulates that the citizenship of one signatory country may be given to a national of another signatory country, without the loss of native citizenship. Respecting the limitations in the employment of foreigners, this agreement provides for a more efficient access to the labour market through naturalization, pursuant to the provisions of the agreement.

When it comes to the treatment of citizens of Republika Srpska, there is no preferential treatment in the area of employment: citizens of Republika Srpska have the status of foreigners and are subject to the general legislative regime for foreigners, in addition to the bilateral agreements between BiH and Serbia. Different treatment of BiH nationals from Republika Srpska is evident in the field of education. The legal basis for the different treatment of citizens of Republika Srpska is based on the Agreement on Special Parallel Relations between the Republic of Serbia and Republika Srpska. This created the preconditions for cooperation of executive, legislative, and other institutions, as well as for all other political and economic cooperation. This Agreement constitutes the legal basis for the adoption of special agreements between the competent authorities of the Republic of Serbia and Republika Srpska, and was best implemented in the field of education. The Agreement on Mutual Recognition of Academic Degrees and Regulation of Student Status Issues provided the same treatment and automatic recognition of documents at all levels of education. In addition to the Resolution of the Government of the Republic of Serbia on the education of members of the Serbian national minority from neighbouring countries in the Republic of Serbia, citizens of Republika Srpska were able to sign a declaration in Serbia stating that they are members of the Serbian national community, and to obtain various benefits in their countries of origin: the possibility of tuition funding from the state budget of the Republic of Serbia, the right to board at the universities, as well as the right to treatment at the Student Health Centre, which would be covered by the budget of the Republic of Serbia.

Serbia and BiH have comprehensively standardized transnational cooperation in the field of labour migrations. This is demonstrated by the fact that the Republic of Serbia and Bosnia have signed an agreement on dual citizenship, which is not the case with other states that emerged from the former Yugoslavia, representing a stumbling block in the field of regional cooperation. The biggest challenge lies in the application of agreed standards and internal legal framework, as well as defining the need for the labour force which would be the end user of the established bilateral cooperation. Therefore, it is of crucial importance that the institutions of these two countries, responsible for the implementation of agreements and internal regulations, maintain regular communication through joint meetings in order to plan future directions of cooperation, identify obstacles, and propose common solutions to problems in the implementation of agreed standards.

Challenges of the application of institutional framework

We attempted to establish possible challenges in the implementation of the institutional framework for the management of labour migrations through interviews with migrants and representatives of the NES. Eleven migrants were interviewed, six women and five men. Ten interviewees are currently living in Belgrade and one in Novi Sad. They were

selected on the basis of statistical data and insights into existing migration flows from BiH to Serbia - labour migrants, students who are potential economic migrants, as well as pensioners, who are the most reported category in the statistics from BiH. Interviewed migrants arrived in Serbia after the year 2000, unrelated to the war. Interviewees were aged between 20 and 30 (six people), between 30 and 40 (four people), and between 70 and 75 (one person). Seven people have completed secondary education, and four have university degrees. Seven migrants are currently studying at the universities in Serbia. Three people came from Brčko, and one person came from each of the following cities: Kotor Varoš, Sarajevo, Teslić, Travnik, Tuzla, Višegrad, Zvornik, and Zenica.

The first identified challenge in the management of labour migration is the application of the aforementioned Law on Conditions for Employment of Foreign Citizens. Also, the Regulation on the Issuance of Work Permits to Foreign Citizens and Stateless Persons protects domestic market by the provision that a foreign national may be employed only in the case that, in the records of the NES, there are no unemployed citizens of the Republic of Serbia with the same qualifications. Immigrants of Serbian nationality from BiH surpass this requirement by seeking and obtaining dual citizenship:

"Every three months, I had to leave the country and to register myself. I had to extend my contract every three months, and pay a fee of 9.000 to 9.500 dinars. Also, my former boss had to repeatedly write in the contract that I can speak French language, and other special details, and that I have some form of specialization so that I could get hired, to show that there is no staff of my calibre at the unemployment bureau. After one year, I handed in my papers, the application for citizenship. Now I have dual citizenship, a Serbian identity card, permit, all documents, residence permit, and registered employment." 32 year old migrant from Republika Srpska.

The problem with this way of "coping" by the immigrants in the labour market is that the incentive for labour migration lies not in the demands of the labour market, but in the social networks and other factors. Unless they are motivated by the needs of the labour market, labour migrations can create difficulties for the immigrants (for example, through illegal employment on the black market and jeopardized human rights), for the country of origin which is left without a labour force, i.e. the potential for development, and for the country of destination by creating a greater competitiveness in the labour market and increasing unemployment of its own citizens.

NES representative from the Užice Branch points to the possibility of employment both due to demands of the labour market, but also due to the so-called social capital and social networks:

"BiH nationals in the Republic of Serbia are engaged in various jobs, ranging from low-skilled to highly skilled, depending on whether we are talking about family relationships with the owners of the company, or whether these are jobs for which there is a deficit in skilled employees (e.g. welders). Municipalities these workers come from are mainly the municipalities bordering with Serbia: Višegrad, Rudo, Srebrenica, Zvornik, Bratunac, etc. For example, we had information that many workers from BiH are working in the municipality of Bajina Bašta, cutting and extracting timber from the Tara Mountain. Essentially, these migrations exist because they also existed in the time of the former Yugoslavia, when this was one of country and many people from those municipalities worked in Bajina Bašta, Užice, etc."

Additionally, in practice, there are no efforts of state institutions to encourage and support labour migrations, despite the ratification of the Agreement by the Government of the Republic of Serbia and the Council of Ministers of Bosnia and Herzegovina on the temporary

employment of nationals of the Republic of Serbia in BiH and BiH citizens in the Republic of Serbia. According to the Chief of the Department for the Implementation of Intergovernmental Agreements and Compensation,¹ the NES of the Republic of Serbia cooperates with the Labour and Employment Agency of BiH only in the implementation of the Agreement between the Federal Republic of Yugoslavia and BiH on social insurance, in the section referring to unemployment insurance, but not with regards to the organization of employment between the two countries.

Migrants from BiH also confirmed that they became employed through personal contacts and networks, rather than through the employment services:

"I came here on the basis of recommendations, I did not approach any agencies. I have relatives, friends, an uncle in Serbia. They also came here after the war because of work." 32 year old migrant from Republika Srpska

"The fact that I already had professional contacts - I was a part of a research team in Petnica, and I met people from the profession, and had created professional relationships there - made it easier for me." 30 year old immigrant from BiH

On the other hand, the representative of the National Employment Service cites an example of Croatia² which encourages labour migrations with the aim of satisfying the needs of the labour market by defining quotas for work permits and residence of foreign nationals. Also, the Croatian Employment Service has signed a cooperation agreement with the Labour and Employment Agency of BiH, believing that it will improve the provision of services to both the employers and the unemployed, at the same time reducing the number of workers on the black market, 83% of whom are BiH citizens. Regional cooperation in the management of labour migrations can be improved through participation in the already developed initiative - Centre of Public Employment Services of Southeast European Countries.

The second challenge is brought by the application of the Agreement on Special Parallel Relations between the Republic of Serbia and Republika Srpska, which encourages the migration of students from Republika Srpska, as it provides them with the same rights as domestic students.

"Education [motivation for migration, A/N]. If it wasn't for those "special relationships" between the Republic of Serbia and Republika Srpska, I probably would not have studied here, I would not have my education paid for and I would not be here... In my case, those special relationships were the key factor in making it possible for me to study here, as well as to obtain a dual citizenship." 30 year old immigrant from Republika Srpska

The question is, to what degree does the ability of students from Republika Srpska to study in the Republic of Serbia cause a brain drain in Republika Srpska, since numerous studies have shown that students either stay to work in the country they studied in, or migrate to another country (Salt, 1997; Vertovec, 2002; Harvey, 2009). This is also demonstrated by migrant students who participated in the study, answering the question "Where do you see yourself in five years: in Bosnia, Serbia, or some other country?":

"In another country in the EU; if I had to make a choice between Republika Srpska and here, I would rather remain in Serbia..." 25 year old student from Republika Srpska

"Probably here in Serbia." 23 year old student from Brčko

"In Europe, not in Bosnia, nor in Serbia, certainly outside of the Balkans, somewhere in Europe We can always come back to Serbia, if it doesn't work out..." 23 year old student from Brčko

However, students can also become a part of the brain circulation process and thus contribute to economic and social development of their communities and society as a whole. Therefore, it is necessary to identify them, monitor their development and education, and

develop transnational activities with them - social, cultural, professional, political, thus enabling their contribution through cooperation with the country of origin, if there is no opportunity to stimulate their return.

Conclusion

Analysis of statistical data on labour migrations between BiH and Serbia showed that statistics of monitoring of external migrations, both in the Republic of Serbia and in BiH, has a number of shortcomings. Most of the existing data is not publicly available; it can be obtained on demand and following the approval of the institutions that issue them, which significantly complicates the continuous monitoring of international migration flows. Available data on labour migrations are methodologically inconsistent, are not monitored over a longer period of time, which prevents reliable monitoring, detailed analysis, and better understanding of the deterministic fundamentals of migration. It is important to emphasize that, in both countries, there is a significant under-registration of international migrants who, in most cases, do not deregister residence when going to work or to reside abroad, at the same time submitting a request for a work permit only upon signing an employment contract in Serbia, for example. Therefore, it is necessary to significantly improve and harmonize the methodology of migration monitoring, both in BiH and Serbia, as well as in other countries of the region. However, in the absence of a statistical monitoring platform that could consistently record the migration processes from the point of the country of origin and the country of immigration, it is necessary to complement the substantiality of data on international migration by combining various existing statistical sources (Predojević-Despić, Penev, 2012). Analysis of the legal framework has shown that institutional framework for voluntary migration between Bosnia and Herzegovina and Serbia, including labour migrations, is well developed: it encourages labour migrations and cooperation in the fields of education, culture, and sports. At the same time, it enables the protection of the immigrants' rights - labour rights, rights to education, social and health care, and pension contributions. However, the challenges in the implementation of institutional framework have shown that there is room for improving the cooperation between the authorities responsible for employment, through exchange of data and information in accordance with the Agreement on temporary employment, and through active participation in the already developed regional initiatives, such as the Centre of Public Employment Services of Southeast European Countries. Additionally, a balanced approach and cooperation in the field of education between Serbia and BiH entities, primarily in the areas of recognition of degrees and study conditions, would contribute to the creation of a single market of knowledge and education in both countries, and would encourage transnational activities and "circulation of knowledge"¹³.

Notes

¹Sector for Unemployment Insurance, NES of the Republic of Serbia

²In Croatia, based on the needs of the competent bodies of the state administration and the analysis of the utilization of labour and business licenses, the analysis of the existing structure of the unemployed persons and persons who are available for work, and the ability to meet the staffing needs of the economy, the Government is proposing the adoption of the overall annual quota of work and residence permits for foreign nationals. Separate opinion and demands are also given by the Croatian Employers' Association, the Croatian Chamber of Economy and the Croatian Chamber of Commerce.

³Note: This paper is a result of the project "Investigation of demographic phenomena in the function of public policies in Serbia" (Nr. 47 006), funded by the Ministry of Education, Science, and Technological Development of Republic of Serbia.

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