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A COMPARATIVE STUDY OF CHILD WELFARE IN SERBIA, CROATIA AND BOSNIA-HERZEGOVINA

Summary

The aim of this paper is to analyze, through comparative perspective, current systems of child welfare in transitional societies of the Southeast Europe: Croatia, Serbia and Bosnia-Herzegovina. In this paper we used historical, comparative and statistic method. Socio-political characteristics of these states are: mutual history of child welfare systems, transitional metamorphosis of society and social policy, European perspectives and the need for upgraded child welfare. Gavrilovićs point out the common past of child welfare systems of these states. In the main part of this work comparative methods are used to analyze current characteristics of child welfare in Serbia, Croatia and Bosnia-Herzegovina. Family and child support measures are taken into account, with special emphasis on child maintenance, maternity and parental leave and services of specialized children's institutions. Child welfare is analyzed in the context of transitional changes that the Southeast European states are undergoing. Analysis of the three basic forms of financial support of families with children showed that transitional changes substantially reduced the number of children benefiting from child maintenance and even more reduced its amount. Maternity leave is recognized as an important measure in family and population policy

in all three states, but there are lack of means, compensation amount is under constant pressure to be lowered.

Key words: social policy, child welfare, family, child maintenance, maternity leave.

Serbia, Croatia and Bosnia-Herzegovina are neighboring states today. During the 20th century they were parts of a federal state - ex Yugoslavia. With dissolvent of Yugoslavia, in the early 1990's, former republics became independent states and the socialist system and its ideology were abandoned. As in other former socialist countries, the transition started as a process of large social reforms and democratic changes. The term "transition" often used as a synonym for all post-communist states speaks of intensive change from communism to a new social period, which is most often defined on the economic and political ground (Zrinščak, 2003). Today all three countries are experiencing very similar social and economic challenges, with the same aim for the future: to become full member states of the EU. As other transitional states of Southern and Eastern Europe, they too have similar mutual characteristics, most notably they fall behind the countries of the old European democracy with respect to social, economical and political modernization (Nelson, 2010). It is important to note that Croatia has the highest level of economic development compared to Serbia and Bosnia-Herzegovina and it is closest to entering the EU.

The breakdown of socialism in Yugoslavia and the emergence of newly independent states were accompanied by civil wars in former republics, devastation of commercial infrastructure, refugees and depopulation. Though indicators of the social regression were obvious in former Yugoslavia from the 1980's onward, the decrease of GDP and industrial activity were dramatic after the end of war in all three states (Lakicević & Gavrilović, 2009). Majority of the population was in poverty and social exclusion. In general, mass unemployment and high rate of poverty are common characteristics of many Southern and Eastern European transitional countries (Ringold, Kasek, 2007). It posed a need for effective and urgent social help for large layers of population (Braithwaite, Grootaert, Milanovic, 2000). However, the beginning of the transition in each of these states was marked by more detailed attention to reforms in macro-economic policy, banking system and capital market, than by reorganization of social policy (Orenstein, Hass, 2002).

Social policy of transitional societies of Serbia, Croatia and Bosnia-Herzegovina is under double pressure. On one side, pauperized layers of population are asking for stronger state intervention and redistribution of GDP in order to improve their social position which they see as unjust. On the other side, international environment, process of

globalization, as well as inner requirements of commercial development are posing the need to decrease social giving and increase accumulation and investment (Puljiz, 2001).

In demographic development, changes in all three states are negative. Aging of population and decrease in level of fertility are generally a typical problem of Eastern Europe (Nelson, 2010). Croatia and Serbia have already entered process of depopulation at the end of the 20th century, so did the Republic of Srpska (Bosnian entity) in the early 21st century. Birth rate is also decreasing in the other entity - Federation of Bosnia-Herzegovina (Gavrilović, 2005). The phenomenon of “brain drain” is yet another well known social mark of all three states. This underlines the challenge of giving socio-political answers to the question of forming basic human capital. Child welfare has a key role here.

The aim of this paper is to present and discuss through comparative perspective current key problems of child welfare in transitional societies of the three Southeast European states: Serbia, Croatia and Bosnia-Herzegovina. In literature and legal documents of these states the term “child welfare” is used synonymously with terms such as “child social care”, “policy on family and child”, “family policy” or “social protection of family and child”. In this paper “child welfare” term will be used. We consider child welfare to be socially regulated, guaranteed financial support given by the state to the family with children and children alone. The objective of such support is to enable social security, fulfill child development needs, balance conditions for their mental, physical, emotional and social development and strengthen birth rate. Support to families with children and children alone is realized through financial giving, paid and unpaid leaves and services of specialized institutions for children (Gavrilović, 1998).

In contrast to most Western European countries and USA, where child welfare is a part of family policy or a social protection of most vulnerable categories of children, child welfare in former Yugoslavia used to be a special area of social policy with the following properties of an autonomous system: 1) special sources of income; 2) legal framing of system and defining of types and models of help and support to families with children or children alone; 3) direction toward the entire children population; 4) autonomous system management; 5) developed network of offices for realization of these types of help and support in each municipality; and 6) services of specialized institutions for children - preschool institutions and children holiday homes. The protection of most vulnerable child categories (children without parents support, children with special needs, children whose development is disturbed by family circumstances and financially endangered children) is realized through social welfare.

Specific mechanisms which connect those two systems strengthen the position of most endangered groups of children, especially by material prestations and use of specialized institutions.

1. MUTUAL PAST OF CHILD WELFARE: HISTORICAL DEVELOPMENT

As federal units of former Yugoslavia from 1918 to 1991 - Serbia, Croatia and Bosnia-Herzegovina had mutual history of child welfare. One can identify three developmental and historical phases of child welfare with respect to conception, content and organization: 1) period between 1918 and 1945, 2) period between 1945 and 1967 and 3) period between 1967 and 1991.

The first period was from the end of The First World War and creation of Yugoslavia in 1918 until the end of The WWII. Immediately after the World War I child protection was in the focus of many important humanitarian organizations and associations. The 1922 Law on child and youth welfare established institutional system of child welfare which comprised regional welfare, local welfare and trustees, children's secure homes and children's stations. Within regional welfare war orphans were taken care of and also illegitimate children, children and youth neglected in upbringing process and children without parental care. These kinds of institutions were most frequent in Croatia. Children shelters and colonies were in Mraclin and Krapina, within houses. In Zagreb there were eight shelters, children's ambulance, home for babies and mothers, and City Institution for children and mothers (Zrinščak, 2008).

In jurisdiction of Social Department of Zagreb municipality in 1935, there were nine children shelters for daily stay for children age 4 to 4th grade of Elementary school. The beneficiaries were children from very poor families (both parents working) or families where mother was seriously ill. It was typical for child welfare between two World wars that it was dominantly directed toward taking care of war orphans, abandoned, poor and other categories of endangered children and that it was conceptually and by content far behind the socio-political thought of the time.

The second period in the development of child welfare started at the end of the World War II with the creation of socialist Yugoslavia in 1945 and lasted until 1967. During that period, definition and organization of the system of child welfare were in the jurisdiction of the federal state. A large number of war orphans had a decisive influence on the relation of the state toward children. The main characteristics of

this period in the development of child welfare were strong centralism and unified regulation of conditions and models of child welfare for the entire country. There were many regulations on child maintenance, daycares centers, preschools, secure houses etc. Frequent changes of regulation were also present, which suggests fast development, but also absence of long-term concept and strategy on child welfare. This is also supported by the strong connection of child welfare, especially child maintenance, with the system of social insurance.

Variable amount of child maintenance is characteristic for this period. For example, in the first few years after the war it was around 3% of the lowest salary of highly qualified workers per child. In the 1950s maintenance was significantly increased. In 1951, it was 22% of the average salary in Yugoslavia for one child, 44.1% for two and 66.1% for three children. The purpose of such high amounts for child maintenance was affirmation of socialists' social relations and stimulation of employment in the public sector. However, it was soon obvious that it had the contrary effect on motivation of workers to advance in their career and to work more productively, so it was continually decreased. Proclaimed aims of child welfare in socialism were big: social justice, equality and dominant state/social patronage. In reality, there were large differences between ideological proclamations and the meaning of child welfare.

The third period of child welfare began in 1967 with the adoption of the General Law on financing of specific models of child social welfare. The process of decentralization started in 1967, which resulted in transferring the jurisdiction from federal state to the republic level. In their core, the models of child maintenance were not changed, but the scale of priorities did - the number of beneficiaries was decreased while the coverage of children using social kitchens in schools and preschools was broadened. The financing was arranged from special sources of income - taxes on salaries. However, development rate was not adequate for the growing needs. Republic politics on child welfare were based on vague legislation and general recommendations, yet concrete decisions and their realization were in hands of local Gavrilovićities, a situation which produced large differences in system development.

In 1972 a concept of self-governing organization was introduced. In general context of increase of social rights and people's standard, child welfare underwent intense development as well - in codification of numerous bills, in organization of implementation, in increase of models of welfare, in construction of preschool facilities and in widening contents for preschool children. Maternity leave was a part of the health care system and was gradually extended. In the early 1990s, in both Croatia and in Serbia, the concept of self-governing organization on lo-

cal level was abolished and the new legislative introduced no essential change apart from introducing elements of population policy, because of already obvious problems in demographic development. This period ended by the breakdown of Yugoslavia and creation of six new states.

2. METHODS OF RESEARCH AND DATA SOURCES

In this paper we used historical, comparative and statistic method. Empirical analysis was based on official statistical data and documents of the state institutions of Serbia, Croatia and Bosnia-Herzegovina (for Serbia: State Statistics Institute and Ministry of Labour and Social welfare; for Bosnia-Herzegovina: State Statistics Agency, Federal Statistics Institute, Republic Institute for Statistics and Public Trust for child welfare of Republika Srpska; for Croatia: State Statistics Institution and Croatian Institute for pension insurance).

Comparison was directed toward differences and similarities between Serbia, Croatia and Bosnia-Herzegovina with respect to: 1) support measures to family with children 2) children maintenance 3) maternity leave and parental leave and 4) services of preschool institutions.

3. FINANCIAL SUPPORT AND SERVICES FOR FAMILIES WITH CHILDREN

Financial support and services for families with children should be focused on children and their parents or guardians and should guarantee social security and relatively equal development conditions for children (Blagojević, 1997). The overview of state support to families with children shown in Table 1 shows similarities and differences between states. Similarities are in traditional measures like child maintenance and maternity leave. Differences are in rights of new mothers and birth rate support. Croatia developed the highest number of specific rights in this area.

For example, in Croatia pro-birth allowance, tax relief and pauses (in the working hours) during the period of breast feeding are all financially supported. No such support is present in other two states. In Bosnia-Herzegovina, unlike Serbia and Croatia, the state finances one meal during classes in elementary school, course of studies for pupils and students and special psycho-social treatment of pregnant women and couples who wish to have children. In Bosnia-Herzegovina entity, Republika Srpska, both vacation and children recreation is financed. Unlike Bosnia-Herzegovina, in Croatia and Serbia financial support al-

so applies to the extended maternity leave for children of the higher birth order as well as for children in need of special care.

Table 1. Financial Support and Services for families with children

Measures of support	Croatia	Serbia	Bosnia-Herzegovina
Child maintenance	Yes	Yes	Yes
Pro-birth allowance	Yes	No	No
Maternity leave and parental leave	Yes***	Yes***	Yes
Extended maternity leave for children of higher order of birth	Yes	Yes	No
Extended maternity leave for children in need of special care and attention	Yes	Yes	No
Adopters leave	Yes	Yes	Yes
Adopters leave one to three years for twins, third and every next child	No	No	No
Shorter working hours	Yes	No	Yes**
Pause for breastfeeding	Yes	No	No
Maternity leave/maternal allowance for unemployed mothers, mothers in full-time studies, pension beneficiaries	Yes	No	Yes
Refunding services of pre-school institutions	Yes	Yes	Yes
Tax relief	Yes	Yes	No
Instant parental allowance	No	No	No
Instant support for baby equipment	No	No	Yes
Refunding services of preschool institutions for children without parental care, with developmental disorders or in extended hospital care	No	No	Yes*
Refunding vacations and outdoor activities for children	No	No	Yes**
Support for nutrition up to 6 months of age and special nutrition for mothers who breastfeed their children	No	No	Yes
One meal during classes in elementary school	No	No	Yes

Tuition fee and scholarship for pupils and students	No	No	Yes
Special psycho-social treatment of pregnant women and couples who want children	No	No	Yes

Significant at the: *only for children without parental care; **only Republika Srpska entity; *** adopter has the same rights.

Sources: Croatian Institution for pension insurance; documents of Ministry of Labour and Social policy of the Republic of Serbia; Public Trust for Child Welfare of the Republika Srpska; Federal Statistics Institution of Bosnia-Herzegovina.

4. CHILD MAINTENANCE

As shown in Table 2, child maintenance in all three states depends on material status of a family. There are three census groups in Croatia according to which beneficiaries are divided and their child maintenance rate defined. In addition to child maintenance, there is also pro-birth allowance in two categories - 500 kuna if one is a beneficiary of maintenance for three children and 1000 kuna if there is more than three children. The amounts are low, between 24 and 35 Eur.

In Serbia, child maintenance has exclusively social function. It can be gained for the first, second, third and fourth child. The condition is that total income per month, after taxes and other obligatory fees, in previous three months does not exceed a specified income rate or proportional income rate from agriculture. That specified income rate is changed each year and is adjusted according to living expenses index. Single parents, guardians, foster-parents and parents of children with developmental disorder but not living in a specialized institution enjoy 20% higher census (qualification income limit for child maintenance). For these categories amount of child maintenance is 30% higher. Child maintenance is supplied to beneficiaries up to 19 years of age. In November 2010, child maintenance was around 2033 dinars, equal to approximately 19 euro.

In Bosnia-Herzegovina the right to child maintenance also depends on material status of a family. However, censuses and amounts vary from canton to canton. Republika Srpska has unified censuses. In Republika Srpska census is 100 convertible marks (further KM) per family member. There is no child maintenance for first child. For the se-

cond and fourth children it is 35 KM, and for the third 70 KM. Children with special needs receive 90 KM. In Euros it is 17,5 and 35 and 45 Eur.

Table 2. Comparative review of current characteristics of child maintenance

	Croatia	Serbia	Bosnia-Herzegovina
Condition	Family material status	Family material status	Family material status
Amount	24 to 35 euros	19 euros	15,5 to 45 euros
Number of beneficiaries in 2010.	396. 115	384.836	60.007* 37.049
Number of children age 0-19	1.053.240	1.501.000	529.367* 429.406**
Coverage	37%	25,6%	11,3% in Federation BiH; 8,6% in Republika Srpska

Significant at the: *estimation for Federation of BiH; **estimation for Republika Srpska.

Sources: State Statistics Institute of Croatia; Croatian Institute for pension insurance, Ministry of Labour and Social policy of Republic of Serbia, Republic Statistic Institute of Republika Srpska, Federal Statistic Institute of Bosnia-Herzegovina, Public Trust for Child Welfare of Republika Srpska.

5. MATERNITY LEAVE

Table 3 shows that maternity leave in each of three countries starts at least 28 days before expected delivery and lasts at least 45 days after it.

In Croatia, maternity leave lasts 6 months. After that period one can use additional leave up to one year of age of children. Additional leave can also be used by father. There is an option for parents to work half-time during maternity leave. After one year of age one of the parents can use unpaid parental leave up to three years of age of children. For children with special needs there is a range of added rights. In case of twins, third child and every additional child, employed women can use three year long maternity leave. Salary compensation during obligatory maternity leave is related to previous salary of an employed mot-

her, and allowance for additional parental rights depends on available assets in state budget.

In Serbia, maternity leave and leave for taking care of child lasts 365 days. It can be used 45 days before expected delivery at the earliest and is obligatory 28 days before it. Maternity leave lasts three months after birth. After that an employed mother can use leave for taking care of a child. Father can use this right too. For third and every additional child employed women have the right of leave for taking care of children for a period of two years. For children with special needs there are some special rights. Foster parent of a child younger than five years has a right of up to eight months of leave for taking care of a child. Salary compensation is on the level of salary for the month before the start of maternity leave, provided that the mother worked continually at least six months before that. During these leaves the compensation and allowances are adjusted as well. There is also a limit for highest allowed compensation.

Maternity leave in Federation of Bosnia-Herzegovina is different from canton to canton. In Sarajevo and Tuzla cantons it is 365 days for the first and the second child, and for twins, the third and every additional child it is 18 months. Income base is salary earned in six months before the start of maternity leave and it is valorised with salary growth in the canton. In Tuzla canton 90% of that income base is given and the lowest compensation cannot be less than 30% of the average salary in the canton. Unemployed mothers are given 10% of the average salary in the canton in the previous year, during one year time. In Sarajevo canton 60% of income base is given. Compensation cannot be less than 50% of the lowest salary in Federation. Unemployed mothers are given 20% of the average salary in the canton in the previous year. In Republika Srpska maternity leave is 12 months for the first, second, fourth etc child (Republika Srpska, 2007). For the third child it is 18 months. Fathers can use parental leave as well. In Bosnia-Herzegovina Federation, according to Federal Law on Labour, father of a child, or adopter, can use parental leave only in case of death of mother, if mother abandons the child or if mother is reasonably prevented from using such right (Federacija Bosne i Hercegovine, 1999b).

Table 3. Comparative review of current characteristics of the parental leave

	Croatia	Serbia	Bosnia-Herzegovina
Before birth	28-45 days	28-45 days	28-45 days
After birth	Up to 365 days	Up to 365 days	Up to 365 days
Father possibility	Yes	Yes	Yes*/conditional**
Compensation amount	Tied with salary	Tied with salary	Tied with salary

Significant at the: *Republika Srpska; **Federation of Bosnia-Herzegovina.

Sources: Croatian Institute for pension insurance, Ministry of Labour and Social policy of Republic of Serbia and in charged ministries of Bosnian entities.

6. PRESCHOOL INSTITUTIONS

In Croatia preschools are part of the educational system, which means that they are under jurisdiction of Ministry of Science, Education and Sport. They are mostly founded and supported by municipalities and parents, with established co-financing criteria for parents. Inherited status of underdeveloped institutions has not been overcome in transitional and post-transitional period. Although important for many aspects of family function, they are still neglected and slowly developed. Lack of capacity is especially pronounced with respect to children of youngest age. Coverage of children in the year before entering elementary school is fastest growing, which is a natural consequence of making their upbringing and educational functions the highest priority.

Since 2002 preschools in Serbia are in the system of education and upbringing under the jurisdiction of the Ministry of Education. This had an effect of complete suppression of their social function as well as diminishing importance of social work in preschool institutions. They are founded and financed by local Gavrilovićities, but trend of parents' participation is rising. They lack capacity, especially in big cities and especially for children up to three years of age. There are 2.364 facilities or adapted spaces, 1.210 working 5 hours a day, 345 working 8 hours a day, and only 809 working more than 8 hours. Total number of children in them is 184.066 with 69.378 children in mandatory preschool program.

In Bosnia-Herzegovina preschools are under jurisdiction of the Federal Ministry of Education and Science. In the year before entering elementary school all children are required to participate in preschool education system, as in Serbia. The issues of financing, program and the duration of preschool education are regulated by education Gavrilovičićes. Preschool education could be gained in public, private or NGO sector. However, network of preschool institutions and its capacities are not at the level of actual needs and functions of preschool education. In Federation of Bosnia-Herzegovina all cantons have adopted legislation on preschool education and upbringing, as well as in Republika Srpska. Nevertheless, in both entities network of children institutions and their capacities are insufficient. For example, 23 out of 62 municipalities in Republika Srpska have no preschool capacities. According to data from Federal Statistics Institute and Ministry of Education and Culture of Republika Srpska, preschool education in Federation of Bosnia-Herzegovina is attended by 9.839 children, in Republika Srpska by 6.583 children.

Joint characteristics of preschool education and upbringing in all three states are: they belong to the system of education, under jurisdiction of Ministry of Education, they are founded and financed by local Gavrilovičićes and they lack capacities.

There is no official data on the coverage of children by preschool education and upbringing. Gavrilovičićes calculate the following figures: in Croatia 48.6%, in Serbia 42.9%, in Federation of Bosnia-Herzegovina 5.35% and in Republika Srpska 10%. Official data for children in the year before entering elementary education are: Croatia 61.8%, Serbia 87.8%, while in Bosnia-Herzegovina children of that age are already in so called zero grade of elementary education.

7. DEVELOPMENT AND CONCEPTS OF CHILD WELFARE IN THE PAST TWO DECADES

On a level of development and concept in the past two decades, child welfare in Serbia, Croatia and Bosnia-Herzegovina has the following characteristics.

7.1. Serbia

Child welfare in Serbia in the last two decades was affected by numerous factors: constitutional changes introducing a unified system, instead of till-then three (Kosovo and Metohija and Vojvodina lost their jurisdictions by the 1990 Constitution); demographic situation; ratifi-

cation of UN Convention on Children rights; results of scientific research; everyday problems in the functioning of this system. A reform was posed by the adoption of Law on social care of children in 1992 (Republika Srbija, 1992). The basic preposition on which the system of child welfare was founded was the universal civilization standpoint about the right and duty of parents to take care of their children's education and upbringing, child's right to living conditions which enable its adequate psycho-physical development and state obligation to support them in this. A general characteristic of the system of child welfare in 1992 was the emphasis on population dimension. In modelling the measures of population character, the state tried to ensure integrated approach between social and population objectives.

Child maintenance is realized according to census. Irrespective of family material status, the third child has the right on maintenance in families with three children, so does the fourth child in municipalities with negative birth rate, and so do children with special needs. The census and the amount (20% of the average salary for the first child, 25% for second and 30% for third and fourth) are in relative relation to salaries, which ensures constant real value to child maintenance. The total number of children who used child maintenance till new Law on financial support to families with children (31th May 2002) was 682.315 or 25.84% of the population.

Maternity leave is 12 months for the first and the second child, 24 for the third and 9 months for the fourth with compensation amount equal to salary. Unemployed mothers are given maternal allowance for one year for the first, second and third child, and in municipalities with negative birth rate for the fourth child also. The amount of maternal allowance was 30% of the average salary in the commercial sector of the Republic. Preschool institutions are a part of the child welfare system as well. Their activity is multifunctional: education and upbringing, prevention and health, and social development. For the services of this institutions local Gavrilovićities contributed on average about 80% of the fees for each child.

In 2002 the Law on financial support to families with children was adopted in Serbia. With this law, the previous system was completely decomposed, great restrictions were posed in number of supportive measures, conditions for beneficiaries and amount (Republika Srbija, 2002). Conceptual approach was based on the thesis of need for the division of social and population measures and re-integrating preschools in the system of education, with only upbringing and educational functions recognized. Taking care of children while parents are

working and social role of these institutions are left to their own spontaneous flows.

The models of support with both social and population character were abolished: child maintenance with exponential growth for the order of birth, maternal allowance for unemployed mothers, instant financial help for baby equipment and total reimbursement of preschool services for the third child. New population measures were identified as instant financial help and called "parental allowance": for the first, second, third and fourth child and parental and maternity leave for employed parents and mothers. Child maintenance became social help for extremely poor children, with drastically lowered amounts. The number of children beneficiaries decreased by 177.500 or 26% compared to the number of children benefiting from this measure according to the previous law. Amounts were also drastically lowered - around three times lower than before (Kamenov, 2005).

7.2. Croatia

Child welfare in Croatia after 1990 has four periods corresponding with political changes in the same time (Puljiz, 2008). The first period was between 1990 and 1994 and was strongly marked by the key event of that time: Croatian independence and war. The great importance was given to family (1990 Constitution) and to the Measures of Intervening Social Program of Government in 1993. With this program the consequences of large decrease in citizens' life standard were compensated, with great help of domestic and foreign humanitarian organizations.

The second period began in 1995 and lasted until 2000. It is characterized by the efforts to define new family policy taking into account other important laws and documents such as Law on Labour in 1995 and National program of demographic development in 1996. For child maintenance, maternity and parental leave and preschools the following is important: child maintenance is defined as a support progressively increasing until sixth child and for families with five children it should be 35% of the average salary per child; three years of maternity leave for mothers of three or more; paid status of parent-educator for families with four or more children; tuition relief for daycare, kindergarten and preschool for families with three or more children.

The third period began in 2000 and is characterized by social reforms bringing restriction in all areas of social security, also in family policy. At the same time, the process of defining new family policy through creation and adoption of "National Family policy" was taking

place. New approach in this document is expressed through emphasizing the fact that family policy is just one component which affects demographic development, that pluralisation of family structures needs to be paid attention to, that there has to be a shift from the politics of transferral character to the politics adjusted to external employment, service sector development and investment in development of children as versatile personalities (Puljiz, 2008).

The fourth period began in 2003, is marked by the establishment of the new Ministry of family, veterans of war and intergenerational solidarity and the creation of a new document called “National Population Strategy” adopted in 2006. This is a very ambitious document which defines a set of measures in areas of sustainable economic development, systems of family support, tax reliefs, harmonization of family and work roles, care for children and health care for mothers and children, all with emphasis on future population effects. Some important aspects of family policy were neglected: poverty, position of family with a single parent, gender aspects of doing house chores etc. Also, this document is mostly a framing one, not executive.

7.3. Bosnia-Herzegovina

Bosnia-Herzegovina is a complex state unity with two entities: Federation of Bosnia-Herzegovina (FBiH) and Republika Srpska (RS). Each entity has its own organization and defined roles and powers of organizational units. In FBiH, mid-level of organization and power are cantons. There are 10 of them and they have legislative, executive and judicial power. The last level of power in FBiH is units of local self-governance - municipalities, 79 of them. In Republika Srpska second level of Gavrilovičićy is units of local self-governance: 62 municipalities and 2 cities. In addition to entities, a constitutive part of Bosnia-Herzegovina is Brcko district, founded by the decision of International Arbitrage Tribunal and established in 2000. It is a unique administrative unit of local self-governance, under sovereignty of Bosnia-Herzegovina. It has legislative, executive and judicial powers. Its function is supervised by the supervisor and Chief of Office of International High Representative in Bosnia-Herzegovina.

The Constitution of Bosnia-Herzegovina has no direct enactments defining jurisdiction and responsibility for child welfare. Child welfare is in the domain of entities, namely cantons and Brcko district. That’s why this system is very much divided.

On the level of Federation of Bosnia-Herzegovina, within the frame of Law on basis of social welfare, welfare of civil casualties of

war and welfare of families with children, the following is specified: definition and objective of welfare of families with children, basic rights of families with children and children's week (Federacija Bosne i Hercegovine, 1999a). According to this Law, the welfare of families with children is "insuring the family through material and other contributions, in order to support upbringing and care for children as well as enabling them for independent life and work, in the best interest of a child". By child it considers a person up to 18 years of age.

Basic rights of family with children are: child maintenance, financial giving to employed mother during pregnancy leave, maternity leave and parental leave; financial support of unemployed mother during pregnancy and maternity leave; instant financial support for baby equipment; support in feeding the baby up to six months of age and extra feeding of mother who is breastfeeding her child; special psycho-social treatment of couples who want children and of pregnant women; child stay and meals in preschool institutions; insuring one meal during classes in elementary schools, tuition fees and scholarships for pupils and students; and preschool education and upbringing for children without parental care. This Law also defines which families have the right to child maintenance. Cantons, according to enactments of this Law, have the freedom to establish other rights for families with children, more precise conditions, ways, procedures, organs and financing of the rights defined by this Law. Until 2009, only a half of the cantons adopted its regulation on child welfare.

In Republika Srpska system of child welfare was established in 1996, by the Law on child welfare and by foundation of the Public Trust for child welfare (Republika Srpska, 2002). The Public Trust for Child Welfare of Republika Srpska secures financial means from taxes on gross salaries and other personal income, from donations, gifts and contributions, available budget assets, domestic and foreign loans etc. The rights financed by means of the Public Trust are: child maintenance; maternal allowance; financial support during maternity leave; compensation for working part-time; support for baby equipment; support for child development needs; preschool education for children without parental care, children with development disorders, children on extended hospital care and vacation and outdoor activities for children under 15 years of age in children holiday facilities. The system of child welfare has an emphasized population function, and measures are partially integrated with social objectives, partially with population objectives (Milosavljević, Gavrilović & Djurasinović, 2009).

Brcko district from 2002 onward has its own child welfare system. The Law on child welfare of Brcko district defines the fol-

lowing rights (Brčko Distrikt, 2003): salary compensation during maternity leave or extended maternity leave and leaves of employed parent or adopter for taking care of children; maternal allowance; support for baby equipment; child maintenance and special psycho-social treatment of couples who want to have children and of pregnant women. Realization of these rights was given to the Social Work Centre. Financing is from the budget. This Law does not define rights related to preschool education. Material conditions for qualification for child maintenance and amount are defined by the percent of average salary. The census is 15% of the average salary per family member and the amount is 10% of the same. Under these conditions a child can receive maintenance until 15 years of age.

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Although it had a long tradition, it was not enough for child welfare system to prevail as special field of social policy in transitional reforms of any of the three states. Only the entity of Republika Srpska established an autonomous system of child welfare. In Croatia, child welfare is a part of family policy, in Serbia child welfare is restricted to financial support to families with children. In Federation of Bosnia-Herzegovina it is a part of social welfare. The very status solutions for expressing relation of states to children speak for themselves on transitional roaming, second thoughts and absence of clear concepts, in social policy above all.

Analysis of the three basic forms of help and support of families with children showed that transitional changes substantially reduced the number of children benefiting from child maintenance and even more reduced its amount. Maternity leave is recognized as an important measure in family and population policy in all three states, but there are some obvious differences in its definition. Due to the lack of means, compensation amount is under constant pressure to be lowered. Preschool institutions in Serbia and Croatia have reached almost 50% of coverage of population, which is insufficient for growing needs of families with children. In Bosnia-Herzegovina the coverage is very low and among the lowest in Europe.

If distinct child welfare systems existed in these countries, child maintenance, maternity and parental leaves and preschool institution services would have a greater chance of becoming stable and achievable rights of children and parents. There is a need for amounts of financial support to families to have equal real value, which means that

they should be defined in percent in relation to salaries. Also, preschool institution activities should be normatively defined as multifunctional and directed to satisfying needs of children and parents, and by that of society and employers as well. Further, a mechanism should be found to balance the differences among regions, in a sense of equal accessibility to children.

Contemporary practice of child welfare should be focused on family: on building family strengths, capacities and effective functioning of family, which should be supported by multi-professional networks of services and offices in the community (Comstock, 2004). That would contribute to creation of better conditions for birth planning, minimization of economic discrimination of families with children and narrowing the gap between work and parenthood. For such big and important aims child advocacy is needed as well as constant meaningful activities in the society.

The belief that “society owes to a child the best it can offer” gained its power and obligatory dimension through the UN Convention on Child Rights, accepted by 169 countries in the world. The Convention on Child Rights defines minimal standards and rights for children, which should be guidelines in creation of child welfare policy (Nicklett, Perron, 2010). In addition to that, the Convention not only talks about what should be guaranteed to children, but also how to manage it. The very enactments of the Convention could at the same time be a basis for the countries that have signed it, Croatia, Serbia and Bosnia-Herzegovina among them, to do the best possible for all children, providing them with conditions for adequate growth and development.

Ана М. Гавриловић, Александар Л. Југовић

КОМПАРАТИВНА СТУДИЈА ДЕЧИЈЕ ЗАШТИТЕ У СРБИЈИ, ХРВАТСКОЈ И БОСНИ И ХЕРЦЕГОВИНИ

Сажетак

Циљ рада је да се у компаративној перспективи анализирају актуелни системи дечије заштите у транзиционим друштвима југоисточне Европе: Србије, Хрватске и Босне и Херцеговине. У раду се користи историјска, компаративна и статистичка метода. Социјално-политичке специфичности ових држава јесу: заједничка прошлост система дечије заштите, транзициони преображај друштва и социјалне политике, европске перспективе и потреба за унапређењем дечије заштите. Аутори указују на заједничку историју система дечије заштите ових држава. У централном делу рада

аутори, примењујући компаративну методу, анализирају актуелне карактеристике дечије заштите Србије, Хрватске и Босне и Херцеговине. У анализу се узимају мере подршке породици и деци са посебним освртом на дечији додатак, породилска и родитељска одсуства, услуге специјализованих установа за децу. Дечија заштите се анализира у контексту транзиционих промена ових држава југоисточне Европе. Анализа три основна облика помоћи и подршке породици са децом показала је да су транзиционе промене довеле до значајног смањења броја деце која примају дечији додатак, а још више до смањења његовог износа. Породилско одсуство је препознато као значајна мера породичне и популационе политике у све три државе али, услед недостатка средстава, износи накнада су под сталним притиском за смањивање.

Кључне речи: социјална политика, дечија заштита, породица, дечији додатак, породилско одсуство.

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РЕЗИМЕ

Циљ овог рада је да представи и размотри кроз упоредну перспективу актуелне кључне проблеме бриге о деци у транзиционим друштвима трију југоисточних земаља Европе: Србије, Хрватске и Босне и Херцеговине. У литератури и правним актима ових земаља израз „брига о деци" се користи упоредо са изразима „друштвена брига о деци", „политика о породици и деци", „породична политика", „социјална заштита породице и детета". У овом тексту користићемо израз „брига о деци". Ми сматрамо да је „брига о де-

ци" друштвено регулисана категорија која подразумева гарантовану финансијску подршку коју држава омогућава породицама са децом као и напуштеној деци. Циљ овакве подршке је да осигура социјалну заштиту, задовољи дечје потребе у развоју, уравнотежи услове за њихов ментални, психички, емоционални и друштвени развој и да увећа стопу наталитета. Подршка породицама са децом и напуштеној деци се остварује у облику финансијских давања, плаћених и неплаћених одсустава и деловања специјализованих институција за децу (Гавриловић, 1998).

За разлику од већине западноевропских држава и САД, где је брига о деци део породичне политике или социјалне заштите најрањивијих категорија деце, у бившој Југославији је брига о деци уобичајено представљала посебан сегмент социјалне политике са следећим одликама једног аутономног система: 1) посебни извори прихода; 2) постојање правног оквира система и дефинисање типова и модела помоћи и подршке породицама са децом и напуштеној деци; 3) усмереност ка целокупној дечјој популацији; 4) независан систем руковођења; 5) развијена мрежа канцеларија за реализацију ових врста помоћи и подршке у свакој општини; и 6) службе у оквиру специјализованих институција за децу- предшколске установе и дечја боравишта током распуста. Заштита најрањивијих дечјих категорија (деца без родитељске подршке, деца са посебним потребама, деца чији је развој поремећен породичним околностима и материјално угрожена деца) се остварује кроз социјалну бригу.

Као федералне јединице бивше Југославије од 1918. до 1991. - Србија, Хрватска и Босна и Херцеговина имају заједничку историју бриге о деци. Могло би се издвојити три развојне и историјске фазе бриге о деци полазећи од концепта, садржине и организације: 1) раздобље од 1918. до 1945, 2) раздобље од 1945. до 1967, 3) раздобље од 1967. до 1991.

У присутном чланку смо користили историјски, упоредни и статистички метод. Емпиријске анализе су засноване на званичним статистичким подацима и документима државних институција Србије, Хрватске и Босне и Херцеговине.

Поређење је управљено ка разликама и сличностима између Србије, Хрватске и Босне и Херцеговине узимајући у обзир: 1) мере подршке породицама са децом, 2) дечји додатак, 3) родитељско одсуство и 4) службе предшколских институција.

Једино је Република Српска као ентитет установила аутономни систем бриге о деци. У Хрватској, брига о деци је део по-

родичне политике, док је у Србији брига о деци сведена на финансијску подршку породицама са децом. У босанско-херцеговачкој федерацији пак, она је саставни део социјалне бригае. Статус решења за изражавање односа држава према деци говори сам за себе о транзиционим превирањима, премишљањима и одсуству јасног концепта, у домену социјалне политике изнад свега.

Анализа три основна облика помоћи и подршке породицама са децом је показала да су транзиционе промене суштински умањиле број деце које користе дечји додаток и чак још и смањиле њихов износ. Материнско одсуство је признато као значајна мера у оквиру породичне и популационе политике у три наведене државе, али ипак постоје неке видљиве разлике у дефинисању овог појма. У недостатку средстава, износ дечјег додатка је под сталним притиском у смислу тежње за његовим смањивањем. Предшколске институције у Србији и Хрватској су достигле скоро 50% покривености становништва, што је недовољно за растуће потребе породица са децом. У Босни и Херцеговини је наведена покривеност пак врло ниска и чак међу најнижима у Европи.

Да су различити системи бригае о деци постојали у овим земљама, дечји додаток, родитељско одсуство и службе предшколских институција би имале веће шансе да омогуће стабилна и остварива права деце и родитеља. Постоји потреба да износи финансијске помоћи породицама имају реалну вредност, што значи да би требало да буду одређени процентуално у односу на зараде. Такође, активности предшколских институција би требало да буду нормативно дефинисане као вишефункционалне и усмерене ка задовољавању потреба деце и родитеља, а тако и друштва и послодаваца истовремено. Поред тога, читав механизам би требао да пронађе равнотежу у погледу регионалних разлика у смислу једнаке доступности помоћи свој деци.

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