



Changing faces of social and gender inequalities in childcare-related policies design in the post-Yugoslav countries

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Summary

This report explores and maps the post-1990 development and current state of childcare-related policies in the post-Yugoslav countries through social and gender inequalities perspective. Two policy measures are analysed, crucial from the aspect of organising care for preschool-aged children – childcare-related leaves (maternity, paternity and parental leaves) and early childhood education and care services (ECEC). Special attention is given to gender and social inequalities in access to leaves and services, which arise as a result of policy design itself. As the countries of former Yugoslavia started to establish their leave policies and ECEC services already in the socialist period when their policy paths also started to diverge, a brief overview of these developments is also given. The report builds on data collected based on the analysis of legislation in five post-Yugoslav countries in the 1945–2019 period: Bosnia-Herzegovina, Croatia, Montenegro, Serbia, and Slovenia.

Looking from a comparative perspective, the former Yugoslav countries developed generous leave policies – at the end of the socialist period, total leave period ranged from 9 to 13 months, and it was paid at the level of the previous salary. Still, leave policies tended to exclude some groups of parents (e.g., self-employed, farmers) and were primarily targeted towards mothers, reproducing traditional gender norms and practices in employment and care. The ECEC services in former Yugoslavia were less developed than in many other socialist countries, and enrolment rates varied among and within the republics of former Yugoslavia.

Childcare-related policies in the compared countries have diverged further in the post-1990 period, with reforms mainly affecting leave policies design. Leave policies reforms brought: (i) longer leave periods for parents with three (or more) children (Croatia, Serbia); (ii) leave benefits for self-employed parents, farmers, occasionally employed parents and unemployed; (iii) a decrease in leave benefits (e.g., a withdrawal of state-level leave benefits in Bosnia-Herzegovina, introduction of upper ceilings on leave benefits, stricter eligibility criteria to qualify for employment-based benefits affecting parents in unstable employment); and (iv) less gendered design of leave policies (Slovenia, Croatia). Eventually, Slovenia was the only country that introduced *well-paid, non-transferable fathers' entitlements*, a leave policy element that has been proved successful in increasing the leave take-up rates of fathers. In other countries, leave policies remained gendered and without a real potential to transform gendered parental responsibilities and employment practices. Moreover, they have tended to withdraw women from the labour market, primarily affecting women of lower socioeconomic status. A lack of reforms and investments in the ECEC in all the countries except Slovenia only deteriorated the ECEC accessibility and affordability, which additionally reinforced social and gender inequalities in care and employment as mostly parents (i.e. mothers) of lower social strata and in less developed areas have continued to face obstacles while entering the ECEC.

The childcare-related policies in most of the post-Yugoslav countries thus continue to reproduce and even strengthen social and gender inequalities in care and employment, additionally „institutionalised“ along territorial lines. That asks for reforms which can bring both a less gendered leave policy design and better access to rights for parents in precarious employment. There is also a need for additional investments in ECEC to improve its accessibility, availability and affordability and overcome regional inequalities in ECEC, and allow access to affordable and good quality ECEC to each child.

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Introduction

This report is the result of work on the project “*Social and Gender Inequalities in Care: Childcare-related Policies and Parenting Practices in the Post-Yugoslav Countries and the Role of Policy Ideas*” (InCARE), funded by the European Union under the Horizon 2020 – *Marie Skłodowska-Curie Actions*. One of the project objectives is to explore and map the development and current state of childcare-related policies in the post-Yugoslav countries since the late 1990s. Two policy measures are analysed, crucial from the aspect of organising care for children of preschool age – childcare-related leaves and early childhood education and care services. Special attention is given to gender and social inequalities in access to childcare-related leaves and services, which arise as a result of policy design itself.

This report thus provides a brief overview of the development and current state of 1) childcare-related leaves (maternity, parental and paternity leave; further: leaves or leave policies) and 2) early childhood education and care services (ECEC). The report compares the main elements of these policies in the post-Yugoslav countries and points to the similarities and differences in the dynamics and character of their development. The analysis showed that childcare-related leaves and services in the post-Yugoslav countries started to diverge already in the socialist period. Thus, to better understand the extent of post-1990 reforms as well as similarities and differences in the post-1990 policy design between the compared countries, a brief overview of the development of childcare-related leaves and services is given starting with the period of socialism.

The report builds on data collected based on the analysis of legislation in five post-Yugoslav countries in the 1945–2019 period: Bosnia and Herzegovina (BIH), Croatia (HR), Montenegro (ME), Serbia (RS), and Slovenia (SI). As the analysis is based on a large number of legal acts (more than 500 legal acts), the legal acts used in this report are not separately quoted in the text to make the report readable. The data and corresponding legal acts are included in the original database on the development of childcare-related leaves and services in the post-Yugoslav countries, which was constructed for the needs of the InCARE project. The database consists of policy indicators capturing the legal rules on leave policies and early childhood education and care policies that define both the eligibility criteria and the scope of the rights. It will be available on the project's web pages: www.incare-pyc.eu so that the data can be used in future comparative studies on the development and effects of childcare-related leaves and services.

Leave policies in the post-Yugoslav countries

The multidimensional nature of childcare-related leaves makes them extremely complex for comparative analysis (see, e.g. Ray *et al.*, 2010; Dobrotić & Blum, 2019). Comparative leave policy literature (e.g. OECD, 2011; Blum *et al.*, 2018) typically differs among the following types of leaves: 1) maternity leave, 2) paternity leave, and 3) parental leave. *Maternity leave* is typically the exclusive right of the mother, which is used immediately before and after childbirth, with the primary purpose to preserve the health of the mother and child. Similarly, after the childbirth, the father (or the other parent) may exercise the right to *paternity leave*. *Parental leave* is the right of both parents and usually follows immediately after the end of maternity leave. Depending on leave policies design in a particular country, parental leave can be defined as a *family right* that parents use by their agreement or as an *individual right* - transferable or (partially) non-transferable from one parent to another. Non-transferable months of parental leave are called *quotas*.¹ While maternity leave has a long tradition and mothers in all European countries now have a right to paid maternity leave, parental leave (introduced since the 1980s) and paternity leave and fathers' quotas (since the 1990s) have not yet been introduced in all European countries or are defined only as a right to unpaid leave (see Daly & Ferragina, 2018; Stropnik & Dobrotić, 2018; Dobrotić & Blum, 2019). The presence of paternity leave and quotas is extremely important when looking at the *gender dimension* of leave policies. Namely, studies show that individual, non-transferable right of the father to well-paid leaves is a key element in leave policy design, which contributes to higher use of leave by fathers, and therefore a more gender equal distribution of care responsibilities in the private sphere (see, for example, O'Brien & Wall, 2017; Dobrotić & Varga, 2018).

Apart from the leave structure and gender dimension of leave policies, leaves differ along the following dimensions: leave duration, leave benefits level, leave flexibility, and eligibility criteria for leaves and benefits (Blum *et al.*, 2018). So far, research has mostly assessed the effects of the *duration of (paid) leaves*, in particular, the effects of the duration of (well-paid) leaves on the position of women in the labour market. Although these studies did not give a final answer about the optimal leave duration, they pointed out that leaves shorter than six months or longer than a year may have negative effects on women's participation and position in the labour market (for a literature review see Dobrotić, 2015). A few studies that aimed to assess the effects of a *flexible use of parental leave* (e.g., as a part-time work, one day in a week, or in several blocks) found that such practices do not necessarily contribute to a better work-family balance and that they primarily benefit a working environment (e.g., parents work more than they have agreed). Also, fathers' use of parental leave on a part-time basis or as one day in a week did not contribute to gender-equal redistribution of care (see Brandth & Kvande, 2019). Finally, recent papers that touched upon the *eligibility criteria* for leaves and benefits indicate that parents in unstable and insecure employment are often left without the right to employment-based parental benefits. Moreover, in these cases, only some countries provide parents with access to benefits of a similar character aimed at unemployed/inactive parents, i.e. to the citizenship-based benefits (see Dobrotić & Blum,

¹ Although the quotas are usually defined as gender neutral within the legislation, given their intention to motivate a larger number of fathers to use leave, they are commonly referred to as father's quotas or daddy's/partner's months in comparative leave policy literature.

2019; Sainsbury, 2019).² Thus, different leave structure, as well as a different design of each dimension of leave policies, can have a different and often opposite effects. Therefore, this overview of childcare-related leave policies development in the post-Yugoslav countries looks at each of the mentioned dimensions separately.

Leave policies in the socialist period: foundations of the employment-based system

Looking from a comparative perspective, the former Yugoslav countries are characterised by early state intervention in the area of maternity leaves. Already in 1927, the Kingdom of Serbs, Croats and Slovenes ratified the 1919 Maternity Protection Convention, introduced by International Labour Organization (ILO), and enacted 12 weeks (2.8 months) of paid maternity leave (Korintus & Stropnik, 2009).³ Maternity leaves became a particularly important area of intervention in the state-socialist period when the so-called dual-earner family model started to be promoted more actively. Namely, the process of rapid and intensive industrialisation that characterised that period was followed by a labour force shortage, and the solution was seen in women's employment. Paid maternity leave for employed mothers, together with investments in the ECEC, was seen as a necessary prerequisite for women's entry into the labour market (Černigoj-Sadar & Vojnovič, 1992; Puljiz & Zrinščak, 2002; Drezgić, 2004). Thus, until the end of the socialist period, the general Yugoslav labour legislation gradually extended the right to maternity leave, paid at the level of the previous salary, from the initial 2.8 months to nine months. Besides, the former Yugoslav republics have very soon developed leave schemes that exceeded the minimum defined at the federal level (Table 1 and 2).

Namely, the former Yugoslav countries were allowed to develop their own social security systems (Vojnovič, 1995).⁴ Thus, some of them, starting from the 1970s, started to develop more extensive maternity leave schemes than stipulated by the general Yugoslav legislation. Croatia was the first country which introduced the right to seven-month paid maternity leave in the first half of the 1970s, exceeding the prescribed minimum of 3.5 months. Very soon, a similar practice was followed by other countries, although with a somewhat different dynamic of leave policies development and characteristics of leave policies design. The leave policies development was somewhat slower in Montenegro and Serbia as at the end of the socialist period the leave duration did not exceed nine months, i.e. the leave period defined by the general Yugoslav legislation. Regarding the main characteristics of leave policies schemes in the socialist period, they were predominantly built on maternity leaves. Only Slovenia and Croatia introduced a scheme that distinguished between maternity leave and “additional maternity leave”,⁵ the latter providing some possibilities to fathers to exercise the leave rights (see Table 1 and Table 2). Leave provisions were not flexible, and the whole leave period was

² Dobrotić & Blum (2019) distinguish employment-based and citizenship-based leave benefits. Access to employment-based benefits is conditioned by labour market performance, and access to citizenship-based benefits is granted based on citizenship (and/or residency).

³ For example, Nordic countries, which are currently seen as examples of good practice when it comes to leave policies design, started to introduce maternity leaves in the mid-1950s and early 1960s (Rostgaard, 2014).

⁴ The constitutional reform in the 1970s brought decentralisation that enabled the former Yugoslav countries to create their own social policies (Archer et al., 2016).

⁵ Viewed from a content perspective this is the right to parental leave, but the legislators tended to use gendered term “additional maternity leave” (in Slovenia since 1986 a more gender-neutral term “childcare leaves”).

supposed to be used in one block. Eventually, there was a possibility to use a part of the leave as a part-time, which did not extend the total duration of the leave.

Table 1: Maternity leave in selected post-Yugoslav countries 1970–1990 – duration and benefit level expressed as a share in the previous salary (data in the table relate to the right of an employed parent who meets the eligibility criteria of the previous insurance period,⁶ and the right for the first child)

	1970		1980		1990	
	months	%	months	%	months	%
BIH	3.5	100	6	100	12	100
HR	3.5	100	7	100	7	100
ME	3.5	100	6	100	9	100
RS	3.5	100	7	100	9	100
SI	3.5	100	3.5	100	3.5	100
SFRY	3.5	100	3.5	100	9*	100*

Notes: Maternity leave starts 28 days before the birth, which is included in the total duration of the leave (for health reasons it is possible to start maternity leave 45 days before the birth); 4.3 weeks of leave constitute one month of leave; * 1989 data.

Source: Dobrotić (2019a)

Table 2: Additional maternity leave/parental leave in selected post-Yugoslav countries 1980–1990 – duration and benefit level expressed as a share in the previous salary (data in the table relate to the right of an employed parent who meets the eligibility criteria of the previous insurance period,⁶ and the right for the first child)

	1980			1990		
	M	%	GD	M	%	GD
BIH	-	-	-	-	-	-
HR	6	50-90*	MR	6	100	MR
ME	-	-	-	-	-	-
RS	-	-	-	-	-	-
SI	4.9	100	MR	8.6	100	MR
SFRY	-	-	-	/	/	/

Notes: The table shows the data for parental leave, that is, the leave that can be used by both parents, regardless of the terminology used in the legislation (legislators used different terms such as additional maternity leave, childcare leave and parental leave until the 2000s, whereas only the term parental leave is used today); 4.3 weeks of leave constitute one month of leave; M = month; % = share in the previous salary; GD = gender dimension; MR = mother's right, which she can transfer to the father * benefit is 50-90% of the previous salary, depending on the family income.

Source: Dobrotić (2019a)

⁶ If the beneficiary does not meet the previous insurance period requirement, it can be completely left without the employment-based leave benefit or, eventually, exercise the right to a significantly lower benefit amount. To make the data in tables fully comparable, the benefit level is shown only for parents who fulfil the previous insurance period criteria and are entitled to the full amount of maternity/parental leave benefit. Nowadays, the full amount of maternity/parental leave benefit can receive the parent who fulfils the criteria of 9 (Croatia), 12 (Montenegro, Slovenia) or 18 months (Serbia) of previous insurance period immediately before the leave. Croatia allows for career breaks and there is a possibility to fulfil the previous insurance period criteria if the parent worked for 12 months in the past two years, however, the benefit level is still calculated based on the earnings in the six months immediately before the leave.

Looking at the leave duration and the leave benefits level from a comparative perspective, the countries of the former Yugoslavia had very generous leave policies schemes – at the end of the socialist period the total leave duration ranged from 9 to 13 months, followed by a benefit level of 100% of the previous salary (cf. OECD, 2019; Daly & Ferragina, 2018; Stropnik & Dobrotić, 2018, Table 1 and Table 2). However, a more detailed analysis of the eligibility criteria for leaves and benefits points out at social inequalities in access to (the full amount of) leave benefits in the analysed countries and the fact that part of the employed parents in the former Yugoslav countries could not exercise the right to (the full amount of) benefits. There are two key reasons for that. First, in the socialist period, the leaves were primarily created as the right of parents (i.e. mothers) in "standard" employment. Employees on occasional or short-term working contracts were mostly excluded from the leave schemes as they were not treated as employed or insured persons, while the self-employed parents (i.e. mothers) and farmers started to gain access to maternity/parental benefits as late as at the end of the 1980s (Slovenia started with this practice, while other countries followed the practice in the 1990s). Also, only Slovenia and Serbia implemented the right to a less generous maternity allowance for certain categories of unemployed mothers in the 1980s. For example, since 1986, job seekers, students and pupils in Slovenia have been able to exercise the right to maternity benefit of 84 days paid at the level of 50% of the average salary.

Second, besides the fact that in the socialist period the access to maternity benefits was primarily conditioned by "standard" employment, to gain access to (the full amount of) leave benefits employed parents had to fulfil a condition of a previous insurance/employment history period immediately before the leave. For example, in the 1940s a criterion of six months of the previous insurance period was defined or 12 months with interruptions within two years before the leave as the main condition to access maternity benefits; and the benefit amount was calculated based on the earnings in three months before the leave (since the mid-1960s based on the earnings in a year). These eligibility criteria for leave benefits weakened in all the analysed countries since the mid-1970s when they began to create their own maternity leave schemes. Thus, in the 1970s all the analysed countries discarded the previous insurance period as a condition to gain access to the right to maternity benefits, and it was enough for a parent to be in employment to be able to exercise the right. However, the level of maternity benefits remained dependent on the previous insurance period, with pronounced differences among the analysed countries. Both Bosnia-Herzegovina and Slovenia retained stricter criteria and the benefit level was defined based on the average earnings in the year prior to the year of childbirth,⁷ while by the end of the 1980s Montenegro, Croatia and Serbia introduced a milder criterion of three months before the leave, thus allowing access to the full amount of maternity benefits also for parents (i.e. mothers) with shorter and unstable working careers (cf. Figure 1).

Finally, a more detailed assessment of a gender dimension of leave policies in the former Yugoslavia shows that leave policies reforms in the socialist period were primarily oriented towards the establishment and expansion of mothers' rights (see Table 1 and Table 2). As mentioned, in the mid-1970s, only Croatia and Slovenia introduced "additional maternity

⁷ In Slovenia, criteria were much milder in the first half of the 1980s when a person who was not employed in the year before the year of childbirth could receive a benefit in the amount of the contracted salary. However, at that time, temporary or occasional employees were not considered as employed persons and did not have access to leave benefits.

leave” and for the first time opened a leave scheme to a certain extent to fathers.⁸ Namely, since 1975 in Slovenia and 1978 in Croatia, fathers could use the right to “additional maternity leave” if they would agree so with the mother and if she would transfer the leave to them. The leave thus remained a primary mothers' right, and she maintained a so-called “gate-keeping” function. As the leave schemes defined in this way do not result in a more gender-equal take-up rates (see, for example, Brandth & Kvande, 2018, Dobrotić & Varga, 2018) and given the traditional understanding of the fathers' role, it is not surprising that in spite of the father's ability to use a part of the leave there were no significant changes in parenting practices and leaves were almost always used by mothers (Korintus & Stropnik, 2009; Dobrotić, 2012). Moreover, until 1983 the possibility to transfer the right to “additional maternity leave” to fathers in Croatia was further conditioned by mother's full-time employment.

Post-1990 leave policies: towards more inclusive, but more stratified leave policies design

After 1990, the differences in the leave policies development among the post-Yugoslav countries have become more evident, clearly reflecting the specific circumstances each country has faced after the dissolution of Yugoslavia and in the process of the state-building (see, for example, Deacon & Stubbs, 2007; Stubbs & Zrinščak, 2009). Looking from a very general perspective, and without going in detail in the contextual differences between the analysed countries, the transition period brought new “motives” behind the family policymaking, primarily those related to the declining fertility rates as well as growing nationalism (see Puljiz & Zrinščak, 2002; Drezgić, 2004; Korintus & Stropnik, 2009; Dobrotić, 2018). Some countries saw a response to negative socio-demographic trends in retraditionalization and women's withdrawal from the labour market, with the introduction of three-year leave and/or cash-for-care benefits⁹ being seen as crucial in achieving these goals (see Puljiz & Zrinščak, 2002; Korintus & Stropnik, 2009; Dobrotić, 2012, 2018). Such demands directly opposed the socialist legacy, including the aim to encourage women's participation in the labour market (see, for example, Drezgić, 2004; Korintus & Stropnik, 2009; Dobrotić, 2012). Eventually, as indicated in this report, the post-Yugoslav countries kept most of the characteristics of the leave policy design inherited from the socialist period. Pronatalist elements become incorporated in the leave policy design solely in Croatia and Serbia where the parents with three and more children have right to longer leaves, while the post-1990 reforms mostly affected the benefits level and to a much lesser extent the gender dimension of the leave policy design.

Longer leaves for parents with three or more children

The pronatalist goals eventually had a smaller effect on leave policies reforms in the post-Yugoslav countries than initially planned. For example, an adverse socioeconomic situation

⁸ Beginning in the late 1970s, fathers could use the right to maternity leave, but only if the mother died (in Croatia also if the mother leaves the child). Since the 1980s, fathers have been able to use maternity leave in all the analysed countries also if the mother leaves the child or is unable to take care of the child independently.

⁹ For example, in 1996 the so-called “institute of mother-caregiver” was introduced in Croatia, according to which each mother with four or more children should have the right to a permanent monthly allowance equal to the average net salary, as well as paid contributions for pension and health insurance.

and a lack of funds in Croatia prevented full implementation of planned three-year maternity leave and cash-for-care benefits in the 1990s (e.g. Puljiz & Zrinščak, 2002), while the actors who insisted on the gender equality policy prevailed in Slovenia. Thus, three-year leave in Slovenia, although advocated, was not introduced (Korintus & Stropnik, 2009; Dobrotić, 2012). Slovenia retained the main features of leave policies scheme implemented in 1986 and allowed for 30-90 days longer leave for families with three or more preschool-aged children (since 2014; see Table 4, notes). Croatia introduced three-year and Serbia two-year leave, but only for families with three or more children. Moreover, the three-year leave in Croatia has been paid at a low flat-rate level,¹⁰ and there were often changes in the two-year leave provisions in Serbia, affecting both leave duration and benefit level. For example, in the 1990s, the two-year maternity leave could only be used in the case of the birth of a third child, while parents with four or more children gained access to the same right in the mid-2000s.¹¹ Additionally, the 2018 reform deepened social inequalities in leave rights – the access to two-year leave become limited only to parents in "standard" employment. Namely, self-employed parents were left without this right, while occasionally and temporarily employed parents, who become beneficiaries of employment-based leave benefits for the first time in 2018, did not gain access to two-year leaves and benefits. In the case of the birth of a third or every subsequent child, these parents can use the right to 12-months leave and benefits (see Table 4, notes).

Table 3: Maternity leave in selected post-Yugoslav countries 1990–2019 – duration and benefit level expressed as a share in the previous salary (data in the table relate to the right of an employed parent who meets the eligibility criteria of the previous insurance period, and the right for the first child)

	1990		2000		2010		2019	
	months	%	months	%	months	%	months	%
BIH¹	12	100	12	(0-100)	12	(0-100)	12	(40-100)
HR	7	100	7	100*	7	100	7	100
ME	9	100	12	100	13	100	2.4#	100*
RS	9 ²	100	13 ²	100	4#	100*	4	100*
SI	3.5	100	3.5	100*	3.5	100	3.5	100
SFRJ	9 ³	100 ³	/	/	/	/	/	/

Notes: Maternity leave starts 28 days before the birth, which is included in the total duration of the leave (for health reasons it is possible to start maternity leave 45 days before the birth); 4.3 weeks of leave constitute one month of leave; * There is a ceiling on maternity benefit; # The overall duration of leave was not shortened, leave was reorganized – a part of maternity leave was transformed into the right to parental leave (see Table 4).

1 = the right to maternity benefit in Bosnia-Herzegovina was decentralised to the entity level, and in 1999 in the Federation of Bosnia-Herzegovina further to the level of cantons; as a result Bosnia-Herzegovina has 12 different systems of maternity benefits with pronounced regional differences in their generosity level; 2 = in the 1992-1996 period leave was 12 months for the first and second child, 24 months for the third child, and 9 months for the fourth and every subsequent child; in the 1997-2001 period the leave for the third child could be used until the child turns two; 3 = data for 1989.

Source: Dobrotić (2019a)

¹⁰ It is the same benefit amount as the benefit paid to unemployed/inactive parents – around one-third of the average net salary (see Dobrotić, 2019b).

¹¹ In the 1990s the leave was shorter in the case of the birth of the fourth and every subsequent child (see Table 4, notes) and maternity benefit was lower. For example, maternity benefit was 100% of the previous earnings only for the first three children (four in depopulated areas), and it was falling at 80% for the fourth and every subsequent child (in the early 1990s to 50% for the sixth and every subsequent child).

Table 4: Additional maternity leave/parental leave in selected post-Yugoslav countries 1990-2019 – duration and benefit level (data in the table relate to the right of an employed parent who meets the eligibility criteria of the previous insurance period, and the right for the first child)

	1990			2000			2010			2019		
	M	%	GD	M	%	GD	M	%	GD	M	%	GD
BIH	-	-	-	-	-	-	-	-	-	-	-	-
HR	6	100	MR	6 ¹	FT	MR	6 ¹	100*	PIP	8 ¹	100*	DPIP
ME	-	-	-	-	-	-	10.6	100	FR	10.6	100*	FR
RS	-	-	-	-	-	-	9 ²	100*	MR	9	100*	MR
SI	8.6	100	MR	8.6	100*	MR	8.6	100*	FR	8.6 ³	100*	TIR
SFRJ	/	/	/	/	/	/	/	/	/	/	/	/

Notes: The table shows the data for parental leave, that is, the leave that can be used by both parents, regardless of the terminology used in the legislation (the legislator used different terms such as additional maternity leave, childcare leave and parental leave until the 2000s, whereas only the term parental leave is used today); 4.3 weeks of leave constitute one month of leave; M = month; % = share in the previous salary; GD = gender dimension; FT = flat-rate benefit (in 2000, it reached 75% of the average net salary and fall to 50% by 2009); * There is a ceiling on parental benefit

Gender dimension: MR = mother's right, which she can transfer to the father; FR = family right; TIR = fully transferable individual right; PTIR = partially transferable individual right (i.e. there are father's quotas)

1 = in the 1996-2000 period the leave could be extended until the child turns three in the case of multiple births or births of the third and every subsequent child; in the 2001-2003 period the leave could be extended until the child turns two only in the case of multiple births; since 2004 the leave can be again extended until the child turns three in the case of multiple births or births of the third and every subsequent child (the benefit is lower in the case of extended leave); 2 = since 2005 the leave for the third and every subsequent child is 21 months; since 2018 only parents in "standard" employment can use the extended leave period, i.e. other categories of parents, such as self-employed parents, temporary or occasional employees and parents in agriculture can use only 12 months of leave; 3 = from 2014 the leave is extended for 30 days if the parents already have two preschool children or children attending the first grade of elementary school, for 60 days if they already have three children of that age and 90 days if they already have four or more children of that age; leave is extended in the case of multiple births (up to three months, which is a practice since the 1980s).

Source: Dobrotić (2019a)

The introduction of paid leaves for self-employed and unemployed parents

While the leave policies in the socialist period targeted parents in "standard" employment; since 1990 (in Slovenia the late 1980s) the access to leave rights have gradually been given to self-employed and occasionally employed parents. Also, maternity/parental allowances for unemployed parents (primarily mothers) were introduced. *Self-employed parents* gained access to equal leave rights as employed parents, except in Serbia where this was the case until the 2018 reform that introduced shorter leaves for self-employed parents (Table 4, notes). While *occasionally employed parents* gained access to employment-based leave benefits, in practice they may remain without adequate benefits (see section *A Decrease in Leave Benefits*) or have access only to benefits aimed at unemployed parents.

For *unemployed parents*, flat-rate benefits were introduced (i.e. citizenship-based benefits) that range from the tenth to a third of the average net salary (Table 5) and are typically paid in the same duration as the maternity/parental benefits for (self)employed parents. Serbia and Croatia, countries characterised by explicit pronatalist agenda (Shiffman *et al.*, 2002; Dobrotić, 2018), have more visible pronatalist elements embedded in the design of citizenship-based benefits. For example, in certain periods benefits have been paid only to mothers with three or more children or were more generous in the case of the birth of the third or fourth child. Moreover, in Serbia, access to citizenship-based benefits became universal in the early 2000s (i.e. detached from the activity/employment status), and it cannot

be realised with the birth of the fifth or every subsequent child, while from 2018 the benefits for the third and fourth child are paid over ten years period (Table 5).

Table 5: Maternity/parental benefits for unemployed parents (mothers) in selected post-Yugoslav countries 1995-2019

	1995			2000			2005		
	M	%	GD	M	%	GD	M	%	GD
BIH¹	-	-	-	-	-	-	-	-	-
HR	(-) ²	(-) ²	(-) ²	6 ³	25.4 ³	MR ³	12 ⁴	36.8	MR
ME	12	16 ⁵	MR	12	19.2	MR	12	11.7	FR
RS	12	30	MR	12	9 ⁶	MR	(-) ⁷	(-) ⁷	(-) ⁷
SI	12	23.3	MR	12	16.6	MR	12	20.9	FR
	2010			2015			2019		
	M	%	GD	M	%	GD	M	%	GD
BIH	-	-	-	-	-	-	-	-	-
HR	12 ⁴	31.2	MR	12 ⁴	29.4	MR	12 ⁴	36.6	MR
ME	12	4.9	FR	12	13.3	FR	12	15.5	FR
RS	(24) ⁸	(13-31.1) ⁸	MR	(24) ⁸	(13.5-32.3) ⁸	MR	(24-120) ⁹	(20.1-36.2) ⁹	MR
SI	12	19.8	FR	12	24.3	FR	12	22.7	FR

Notes: M = month; % = flat-rate benefit expressed as a share in average net salary, GD= gender dimension.

Gender dimension: MR = mother's right; FR = family right; when defined as MR, the mother's right can be exceptionally transferred to the father if the mother dies, leaves the child or is unable to take care of the child (since the introduction of these rights in Croatia and Slovenia and since 2002 in Serbia), if the mother is employed (since 2009 in Croatia) or a foreign citizen without the right to benefits (since 2018 in Serbia).

1 = Bosnia-Herzegovina did not implement the citizenship-based benefits at the state level; in the Federation of BIH cantons have gradually introduced these benefits and their amount ranges from low and only symbolic one-off benefits to monthly benefits reaching 40% of average net salary; 2 = flat-rate benefit was introduced in 1996 only for multiple births and the birth of the third and each subsequent child (64.8% of the average net salary in 1997); 3 = data for 2001; in the case of multiple births the benefit is paid 24 months; 4 = in the case of multiple births and the birth of the third and each subsequent child, the benefit is paid 36 months; 5 = estimated share; 6 = 2001 data; 7 = it becomes a universal right (i.e. available also to employed mothers) and it is paid as one-off benefit in the case of the birth of the second (4.2 average net salaries), third (7.5 average net salaries) and fourth child (10 average net salaries); 8 = the benefit for the first child is paid as one-off benefit in the amount of 0.8 average net salary, and for the second, third and fourth child monthly through 24 months; the benefit increases with the number of children; 9 = the benefit for the first child is paid as one-off benefit in the amount of two average net salaries, for the second child through 24 months, and for the third and fourth child through 120 months; the benefit amount increases with the number of children.

Izvor: Dobroćić (2019a)

The citizenship-based benefits have become more inclusive in the last 20 years, i.e. gradual reforms of their eligibility criteria widened the circle of potential beneficiaries. The citizenship-based benefits were first introduced as a sole right of registered unemployed mothers and regular students, and have extended since then in all the countries except Montenegro to all parents (primarily mothers) with permanent residency who cannot exercise the right to employment-based maternity/parental benefits. Slovenia has a more inclusive system (residency is the only eligibility criteria)¹² than, for example, Croatia. In Croatia, the right to citizenship-based benefits is limited to long-term residents – three-year

¹² Although, the condition of permanent residency may be exclusive to migrants, as the right to permanent residency can only be acquired after a person already resides in the country for some period, e.g. Directive 2003/109/EC foresees a period of five years (Dobroćić & Blum, 2019).

residency for registered unemployed parents, parents with other income or farmers and five-year residency for all other parents. Interestingly, motivated by pronatalist agenda, the citizenship-based benefits in Serbia have become universal, i.e. also available to employed parents (i.e. mothers), while the recent reform introduced the practice according to which these benefits can be suspended if the child has not been vaccinated or did not attend a mandatory preschool program or primary school, or in the case of divorce/end of a partnership (in the latter case unless the ministry decides otherwise).

Although the cash-for-care scheme introduced in Croatia in the 1990s (so-called institute of mother-caregiver) was not implemented due to the lack of resources, it has become actual again with the recent growth of pronatalist agenda (Dobrotić, 2018). Eventually, it was introduced and implemented in the City of Zagreb in 2016 for parents of three or more children with at least one child of preschool age. They are entitled to a monthly allowance that reaches about 150% of the minimum wage (65% of the average net salary) until the youngest child turns 15. This right can be exercised if the parent withdraws from the labour market and children do not attend the ECEC programs, and currently, a slightly more than 4,000 parents use the right (out of eligible around 7,000; Dobrotić, 2019b). In the same year, and also driven by pronatalist agenda, Montenegro introduced a measure of similar character – a *benefit for the birth of three or more children*. Mothers with three or more children become entitled to a lifetime monthly allowance of 40-70% of the average net salary, depending on their previous employment status (Skupština Crne Gore, 2016).¹³ As the right become used by more than 20,000 mothers, it became financially unsustainable and the benefit amount was reduced already in January 2017 (at a flat-rate allowance reaching 28-52% of average net salary), before it was withdrawn in the mid-2017 based on the decision of the Constitutional Court (see Odluka Ustavnog suda od 12.05.2017). The mothers who have left the labour market to exercise this right can continue to use the benefit (€193-€336 per month) for additional 3-5 years, or until retirement (if they were 55-61 years old).

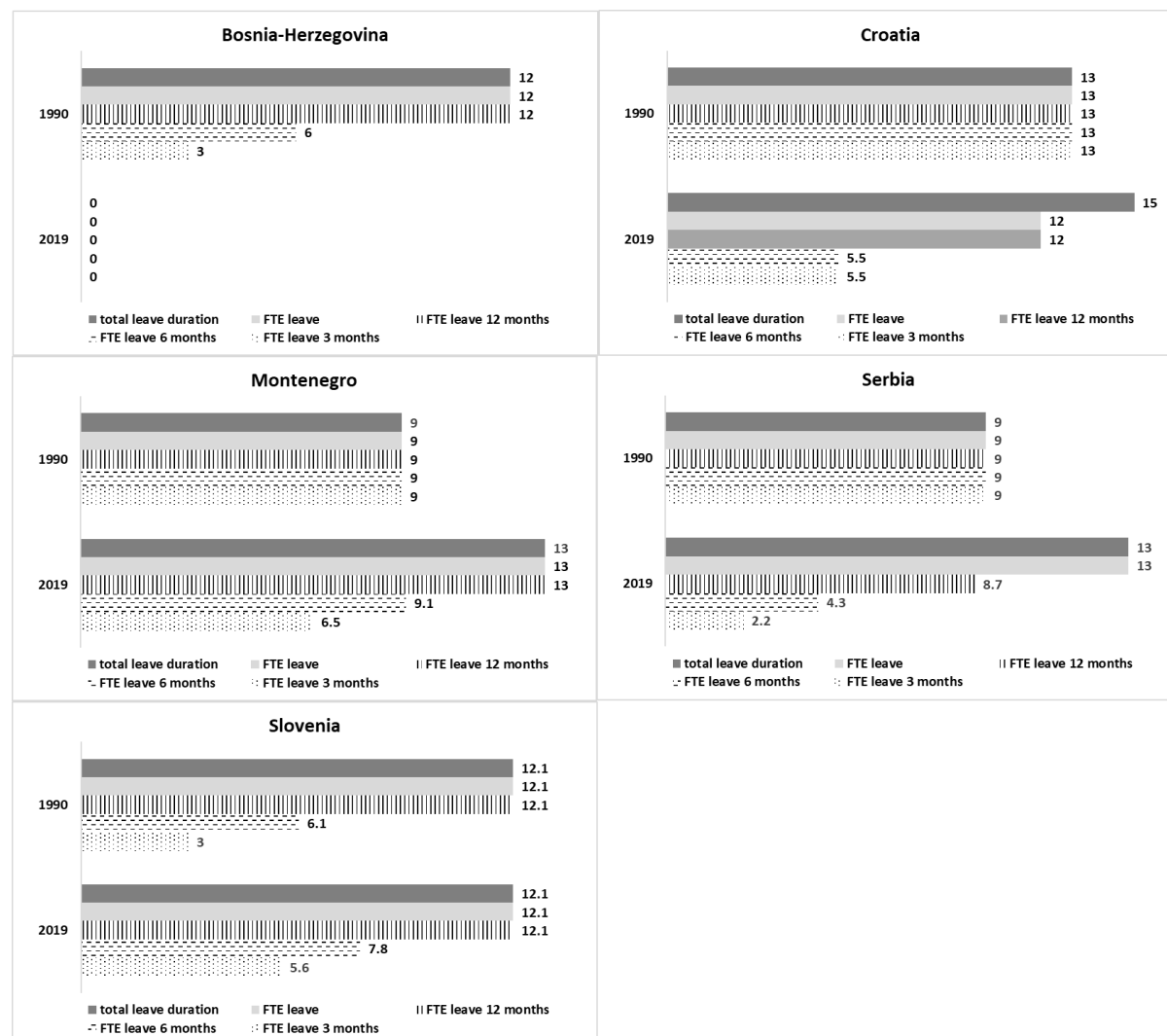
A decrease in leave benefits

Reforms in the past three decades have mostly affected the level of maternity/parental benefits. Their level was affected by three types of reforms: 1) a general decrease of leave benefits (including their withdrawal), 2) the introduction of upper ceilings on the benefits level which initially mostly affected the higher earners, and 3) changes in eligibility criteria to qualify for (full amount of) employment-based benefits which affected parents in unstable employment. A general decrease in the benefits level was particularly inherent to the leave policy reforms in Bosnia-Herzegovina and Croatia, countries that were severely affected by the war in the 1990s (see Puljiz, 2008; Obradović, 2017). The 1990s decentralisation of maternity benefits in Bosnia-Herzegovina (see Table 3, notes) left a large number of employed mothers without the right to paid maternity leave as many cantons were not prepared to take over the benefits previously paid at the state (until early 1990s) and the entity level. Namely, while some cantons in the Federation of BiH immediately introduced their own maternity benefit schemes (e.g. Zenica-Doboj or Tuzla Canton), in other cantons maternity benefits were re-established only recently (e.g. Posavski Canton in 2015, and Herzegovina-Neretva Canton in 2017). Also, the maternity benefits amount decreased as the benefits paid by the

¹³ Employed mothers, who withdraw from the labour market and had 25 years of previous insurance period (15 years if she has four or more children) were entitled to 70% of the average net salary, and unemployed mothers registered with unemployment office for at least 15 years to 40% of the average net salary.

cantons ceased to reach the level of the previous salary – they typically range from 40-80% of the previous salary (often followed by a ceiling).¹⁴

Figure 1: Total leave duration, FTE leave duration and FTE leave duration of parents who fulfil the condition of three, six and twelve months of uninterrupted insurance period immediately before the leave (in months) – 1990 and 2019



Notes: **Total leave duration** refers to the duration of maternity and parental leave. **FTE leave** reflects the duration of *well-paid leave*—it is calculated as the duration of leave multiplied by the wage replacement rate; if the country offers a flat-rate benefit or has a ceiling, the benefit level is calculated as a percentage of the average salary in the country (see, e.g. Ray *et al.*, 2010). FTE leave is calculated for the beneficiaries who fulfil eligibility criteria for employment-based benefits (*FTE leave*), and beneficiaries with 12 months of uninterrupted insurance period before the leave (*FTE leave 12 months*), six (*FTE leave 6 months*) and three months of the previous insurance period (*FTE leave 3 months*). Data for Bosnia-Herzegovina in 2019 are not provided as there are no state-level maternity benefits.

Source: Dobrotić (2019a)

The 1990s leave benefits reform in Croatia was less detrimental; however, it importantly affected the benefits' level. Croatia first introduced a ceiling on the maternity/parental benefits (in 1993) and then transformed an earnings-related "additional maternity leave benefit" to flat-rate benefit (in 1997, Table 4). Although this reform initially affected a smaller

¹⁴ In 2013 the benefit was newly set to 100% of the previous earnings only in Canton 10, and in 2006 at 90% only in the Tuzla Canton (there is a ceiling set at the average salary in the Federation of BiH).

number of parents (e.g., a ceiling was set at 2.8, and the flat-rate benefit at one average salary), the absence of benefits' indexation resulted in a rapid fall in their real value. For example, the value of the ceiling on maternity benefits fell to only 0.9 average net salary until its abolition in 2006, and the value of the flat-rate parental benefit to 0.5 average net salary (2017 reform raised it to 0.7 average net salary, but the indexation mechanism was not re-established). Eventually, a ceiling on maternity/parental benefits was introduced in other post-Yugoslav countries as well (Montenegro, Serbia and Slovenia; Table 3 and Table 4). However, these countries were able to maintain more generous benefits (at least for parents in stable employment), since ceilings remained closely related to the average net salaries and have typically exceeded the average net salary by two to five times. Thus, in these three countries parents with an average salary, who fulfil the condition of previous insurance period (see next paragraph), can still receive leave benefits at the level of the previous salary through the whole leave period (see Figure 1).¹⁵

In few countries, reforms after 1990 especially affected leave benefits of parents in short-term or unstable employment. Namely, in a context of growing obstacles the young people are facing while entering the labour market, as well as of growing instability and precariousness of employment (see e.g. Matković, 2008; Eurostat, 2019a), Montenegro, Croatia and Serbia gradually implemented stricter eligibility criteria to qualify for (full amount of) employment-related leave benefits.¹⁶ In Croatia, the eligibility criteria of the previous insurance period needed to qualify for employment-based leave benefits were newly introduced (currently nine uninterrupted months or 12 months within 24 months before the leave), while the benefit level started to be calculated based on the average earnings in six months before the leave (previously a month). (Self)employed parents who fail to fulfil the eligibility criteria have the right to flat-rate benefit in the same amount as unemployed parents, which affects the duration of well-paid leave available to them (Figure 1).

Similarly, in Montenegro, only parents who fulfil a condition of 12 uninterrupted months of previous insurance period immediately before the leave can be entitled to the full benefit amount (100% of previous earnings), while the benefits of parents with a shorter insurance period decrease up to 30% of the previous earnings.¹⁷ Serbia had a similar system in the 1990s and 2000s,¹⁸ while the recent reforms made eligibility criteria stricter and leave benefits for parents with unstable careers lower (Figure 1). The 2018 reform particularly affected parents in unstable and “atypical” employment, who gained access to leave rights for the first time. Namely, with the aim to discourage practice of women's fictive employment in pregnancy period to be able to gain access to employment-based leave benefits (see Stanić & Matković, 2017), the benefit level has become calculated based on the average earnings in 18 months

¹⁵ As a result of the 2009-crisis, Slovenia temporarily reduced parental and paternity benefits in the 2012-2018 period from 100% to 90% of previous earnings, for parents whose income was exceeding the minimum salary.

¹⁶ That was particularly pronounced after they displaced maternity/parental benefits from the health insurance to social assistance system (Croatia only parental benefits).

¹⁷ Parents with 6-12 months of previous insurance period have a right to 70% of previous earnings, with 3-6 months to 50%, and with less than three months to 30%. In the 1993-1994 period parents with less than three months of previous insurance period would be left without the benefit, while they were entitled to 60-70% of the previous earnings until 2012.

¹⁸ In the 1992-2009 period the benefit was 60% of the previous earnings for parents with 3-6 months of previous insurance period and 30% for parents with less than three months. In the 2010-2017 period the benefit level was calculated based on the average earnings in the 12 months before the leave, and if there were the months in which the person did not work the amount of 50% of the average salary was taken in the calculation.

before the leave (for persons insured in agriculture 24 months). However, as the minimum benefit level was not defined, some of the parents were left with small benefits (Blic, 2018; Espresso, 2018). Moreover, since 2018 reform the self-employed parents can use the benefit during 12 instead of the previous 13 months, and they are not entitled to two-year leave and paid social contributions while on leave.

A leave design is becoming less gendered with the EU accession

Reforms on the gender dimension of leave policies have been a clear reflection of the different dynamic of the accession of the post-Yugoslav countries to the EU (Slovenia became a member state in 2004 and Croatia in 2013). Initiatives aimed to increase the father's take-up rates started from 2000 and were closely connected to the EU negotiations and alignment with the EU parental leave directive (Dobrotić, 2012, Stropnik & Dobrotić, 2018). Namely, in the process of alignment with the EU legislation, Slovenia and Croatia introduced the individual right to parental leave (see Table 4). Besides, Slovenia introduced the paternity leave (implemented since 2003), and Croatia two-month father's quotas (in 2013).¹⁹ Serbia and Montenegro (currently candidate countries for the EU membership) transformed the majority of maternity leave into parental leave (cf. Table 3 and Table 4); however, they are still not aligned with the parental leave directive. Parental leave remains defined as mothers' right in Serbia and the family right in Montenegro, meaning that fathers are still left without an individual right to parental leave. Thus, both countries have a leave policy design with a weak potential to increase father's use of leave and result in a more equal redistribution of care responsibilities in the private sphere (see, e.g. O'Brien, 2009; O'Brien & Wall, 2017; Dobrotić & Varga, 2018).

Stropnik & Dobrotić (2018) analysis of gender dimension of leave policies shows that among all the post-Yugoslav countries only Slovenia has implemented the leave scheme that may have more visible implications for the transformation of traditional gender norms and practices in care and employment, primarily because of the introduction of well-paid paternity leave – the right to paternity leave paid at the level of the previous salary gradually increased from 15 days in 2003 to 30 days in 2019.²⁰ Although Croatia introduced two-month father's quotas in 2013, fathers rarely use them due to low parental benefits and strict eligibility criteria (access to quotas is given only to employed fathers with an employed partner and in the case of the birth of the first and second child; see Dobrotić, 2019b; Pravobraniteljica za ravnopravnost spolova, 2019).²¹ Finally, reforms that were implemented to increase father's take-up rates were primarily related to leave policies aimed at employed mothers and fathers (in Croatia only at two-earners families), whereas citizenship-based benefits in most cases remain gendered, i.e. defined as the primary mothers' right or eventually as a family right (see Table 5).

¹⁹ Slovenia did not introduce fathers' quotas, and one month of parental leave was defined as the sole right of the mother.

²⁰ The paternity leave was initially introduced for 90 days, but only 15 days were fully paid (for the remaining days the contributions to the minimum wage were paid). From 2016 the paid paternity leave was gradually increased (5 days a year) to reach 30 days by 2019, while the unpaid leave was abolished.

²¹ While there are no data on take-up rates, the data on the beneficiaries gender structure shows that only 4-5% of fathers used the leave in the last few years, to slightly increase to 7.6% in 2018 after the parental benefit slightly increased in 2017 (cf. Dobrotić, 2019b; Pravobraniteljica za ravnopravnost spolova, 2019).

Early childhood education and care in the post-Yugoslav countries

In European countries, the ECEC services started to develop more intensively since the 1960s, following the two fundamental motives – education of children and work-family balance. On the one hand, some countries have built their systems by primarily relying on the educational function of the ECEC. These countries have tended to develop more universal systems that sought to ensure access to the ECEC for each child. On the other hand, countries that prioritised the work-family balance function tended to develop programs primarily targeted at children of employed parents and these programs were more adjusted to the employed parent's needs (see Scheiwe & Willekens, 2009). Today there is an evident convergence of these two traditions as the systems built within an educational tradition have begun to integrate the goals such as work-family balance or poverty prevention and vice versa (see, e.g. Baran et al., 2011). However, the ECEC systems of European countries still differ substantially in the degree of development as well as key institutional characteristics. Their differences and similarities are typically considered based on the five groups of comparative indicators: 1) ECEC availability (e.g. enrolment rates); 2) ECEC accessibility (e.g. a right of a child to ECEC, enrolment criteria); 3) ECEC affordability (e.g. upper ceiling on parents participation in ECEC costs); 4) ECEC flexibility (e.g. compliance of the ECEC working hours with the needs of employed parents), and 5) ECEC quality (e.g. the maximum size of educational groups, required educational level of educators) (cf. Eurydice & Eurostat, 2014; Working Group on Early Childhood Education and Care, 2014 ; Dobrotić *et al.*, 2018; Yerkes & Javornik, 2018). These indicators thus guided the analysis of ECEC systems in the post-Yugoslav countries.

Early childhood education and care in the socialist period: development of the system that prioritises a work-family balance function

Contrary to leave policies that were subject to frequent reforms in the post-Yugoslav countries, the ECEC system had fewer changes. In all the countries, except for Slovenia, once established system did not change a lot in its basic institutional characteristics. The ECEC system started to develop more intensively in the socialist period, starting from the same goal as leave policies – to enable women's entrance and participation in the labour market. Since the 1970s, the educational function gained more on importance, and the responsibility for all the ECEC programs has gradually been transferred to the educational system, which helped to strengthen the educational function of the ECEC and the role of the curriculum (see e.g. Moss, 2007; Baran *et al.*, 2011). In line with that, besides the regular nursery and kindergarten programs, short *preschool programs* that were supposed to serve as school preparation for all children become gradually introduced as well as *quality standards* which gradually required smaller educational groups and a university-level education of educators. However, the investments in new ECEC capacities were too small to reach the needs of all children, and the work-family function remained dominant (cf. Baran *et al.*, 2011).

Although short preschool programs (school preparation programs) have been operating in Croatia since the 1970s, and in Slovenia and Serbia since the 1980s, these programs did not

become mandatory in the socialist period (cf. Baran *et al.*, 2011; Table 6). Moreover, although the number of children who participated in the ECEC programs has gradually grown since the late 1940s, the ECEC system remained poorly developed regarding the number of enrolled children. Despite the early start of investments, the ECEC network in the former Yugoslavia was much less developed than in other socialist countries. For example, while more than 75% of children aged 3-6 participated in the ECEC programs in the Czech Republic and Slovakia in 1990, and 85% in Hungary, the availability of the ECEC services in Yugoslavia was significantly lower – only 23% of children aged 3-6 participated in the ECEC programs (Zrinščak, 2002).

Besides, the enrolment rates varied a lot among the republics of former Yugoslavia. For example, rough estimates based on 1990 data show that the enrolment rate of children aged 0-6 ranged from only 7.7% in Bosnia-Herzegovina over 17.3% in Montenegro, 19.9% in Serbia and 25% in Croatia to 49.5% in Slovenia (Savezni zavod za statistiku, 1992a, 1992b), followed by large regional differences within each country. Regional differences in the ECEC availability have been a clear reflection of the economic power and fiscal capacities of the individual local communities (Stropnik, 2001; UNICEF, 2012; Prica *et al.*, 2014; Dobrotić *et al.* 2018), as the ECEC systems of the former Yugoslav countries have been decentralized since their beginnings, and local communities were in charge of financing and development of the ECEC programs.

The weakness of the ECEC system in that period is additionally reflected at the basic indicators of the ECEC *accessibility* – the legal entitlement of every child to be included in the ECEC (through the legal entitlement to an ECEC place²² or a mandatory program), and the enrolment criteria (see Dobrotić *et al.*, 2018; Yerkes & Javornik, 2018). Namely, the former Yugoslav countries did not introduce a legal entitlement to ECEC or a mandatory program, while there was a high autonomy of the service providers in defining the enrolment criteria. Moreover, due to the lack of ECEC places, the providers relied on selective practices – following a main function of the system, the work-family balance, the enrolment advantage was given to the children of employed parents.

ECEC system in the socialist period developed as a public system and extant places were highly subsidised (e.g. Stropnik, 2001; Baran *et al.*, 2011). Although the system was decentralised, some countries also introduced state-level mechanisms through which they tried to improve the ECEC *affordability* and keep the costs of the programs at the level acceptable to parents. For example, in some countries, parents covered only meal costs (e.g. Serbia, Montenegro), while Slovenia has defined the upper limit on parental ECEC fees – it should not exceed one-third of the net salary per family member. As shown later, such mechanisms have weakened since then in most countries, and the providers were given greater autonomy in defining the ECEC prices and parents' fees.

Early childhood education and care after 1990

If the post-1990 development of the ECEC system is assessed through the five groups of indicators mentioned earlier, the changes are most visible on the indicators of availability, accessibility and affordability. These indicators are thus presented in more detail. Regarding the ECEC flexibility, i.e. the ECEC's alignment with the parents working schedule, no visible

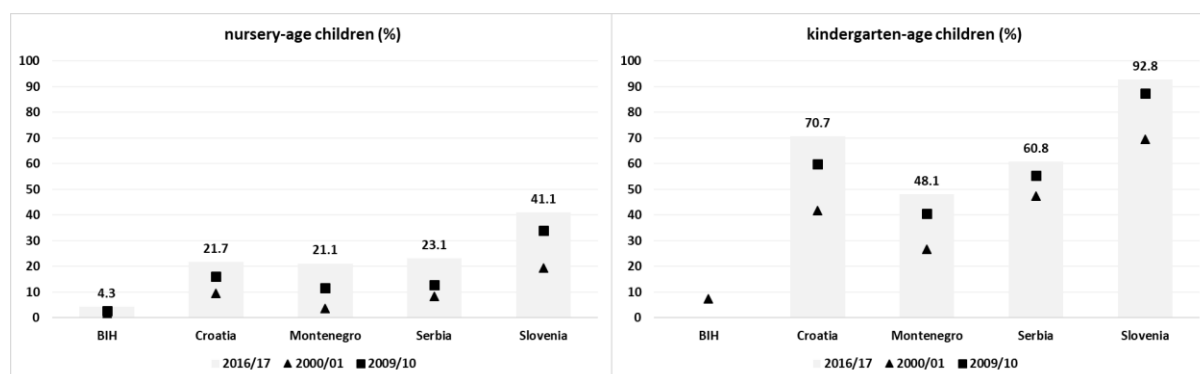
²² The legal entitlement to an ECEC place does not mean the obligation to attend the program – it is a legally mandated obligation of the state to provide access to affordable ECEC for each child (Eurydice & Eurostat, 2014).

changes have been made and autonomy is further left to the service providers. Also, there have been no major reforms when it comes to the quality indicators (e.g. the size of educational groups and a needed educational level of educators).²³ After 1990 only Slovenia succeeded to improve the ECEC system, while more visible changes in other post-Yugoslav countries started only recently and they continue to face difficulties with accessibility and availability of the ECEC programs.

The ECEC remains inaccessible in most of the countries

After 1990, only Slovenia experienced noticeable growth in ECEC enrolment rates, especially after 2000 (Figure 2). Slovenia is also the only country which reached the Barcelona targets, i.e. the EU goals, which require the member states to reach the ECEC enrolment rate target of 33% for children aged 0-2 and 90% for children older than three (European Council, 2002) – in 2017/2018 63.5% of children aged 0-2 attended the ECEC in Slovenia and 91% of children older than three (SURS, 2019). Slovenia is also the only country approaching the Europe-2020 target, which requires the ECEC enrolment rate of 95% for children older than four – in 2017/2018 93% of three-year-olds and four-year-olds attended the ECEC programs in Slovenia (SURS, 2018).²⁴

Figure 2: The ECEC enrolment rates – nursery programs (0-2) and kindergarten programs (from 3 years until the beginning of the primary school)



Note: For data comparability, TransMonee data are used, which differ from the national data to a certain extent. For example, in comparison to the national data, the TransMonee data for 2016/2017 underestimate the enrolment rate of children in nursery programs in Slovenia (61% according to national data; SURS, 2019), and overestimate the enrolment rate of children in kindergarten programs in Croatia (59.2% according to national data, Dobroitić *et al.*, 2018).

Source: TransMonee (2019)

In other post-Yugoslav countries, the ECEC system remains underdeveloped and unavailable to a large number of children (Figure 2). That is most evident in Bosnia-Herzegovina, which had fewer capacities already in the socialist period and where a large number of ECEC

²³ Though the quality indicators have improved to a certain extent, changes on these indicators are slow, and too large educational groups and adverse child-staff ratio remain among key difficulties of the ECEC system in some countries (see, e.g. Dobroitić *et al.*, 2018 for Croatia; Prca *et al.*, 2014 for Montenegro).

²⁴ Even when a short programs as well as a mandatory preschool programs are included in calculation (see Table 6), enrolment rate on this indicator is much lower in other countries, e.g. in 2017 64.4% in Serbia and 77.7% in Croatia (Eurostat, 2019b).

institutions was destroyed in the 1990s war.²⁵ Bosnia-Herzegovina currently has about 7,000 ECEC places less than in 1990, and they hardly cover the needs of one-tenth of the preschool population (cf. Ministarstvo civilnih poslova BIH, 2004; Agencija za statistiku BIH, 2018). The gradual growth in ECEC enrolment rates in Montenegro, Croatia and Serbia mostly occurred as a result of the decline of preschool population, and only recently a more visible investments in the ECEC started, largely supported by international actors (e.g. EU in Croatia; EU and World Bank in Serbia; EU info centar, 2016; Politika, 2017; Dobrotić, 2019b). The ECEC programs have remained predominantly public. Namely, although since the 1990s the ECEC system has become open to private providers, such practice is most prominent in Bosnia-Herzegovina (in 2018 29.7% of children attended the private providers' programs; BIH Agency for Statistics, 2019) and Croatia (19.2%; DZS, 2019). In Serbia, in 2018 10% of children attended the programs of private providers (RZS, 2019) and only about 5% of children in Montenegro and Slovenia (SURS, 2018, MONSTAT, 2019).

Childcare gap and social and territorial inequalities in the ECEC accessibility continue to persist

Among the analysed countries, only Slovenia introduced the legal entitlement to ECEC in 1996, starting after the well-paid parental leave (Table 6). Thus, the childcare gap is formally non-existent, i.e. there is no gap between the end of leave and ECEC entitlement (Stropnik, 2018; Table 6). However, the legal entitlement is activated only in the case when there are enough children on the waiting list in the certain local community to create a new educational group, which may be an obstacle to the realisation of the legal entitlement to ECEC. That is also evident in practice, as the current ECEC facilities still do not cover the needs of all children, especially the needs of children younger than three in more populated areas (see Eurydice, 2019).

Guided by the educational goals and objectives of social inclusion, in the past ten years, the post-Yugoslav countries have introduced short school preparation programs, i.e. compulsory preschool programs, which are primarily intended for children who have not participated in the regular ECEC programs. These are programs that have been introduced already in the socialist period in some of the analysed countries (Croatia, Slovenia, Serbia), and in the early 1990s in Montenegro, but the obligation to attend them was prescribed only recently (Table 6). The same practice was defined in Bosnia-Herzegovina in the late 2000s; however, the right to a mandatory program is still not regulated in all the cantons of the Federation of BIH (see Table 6, notes). The main obstacles are the lack of financial resources and space, problems in organising transport for children from rural areas, but also a lack of understanding of the importance of the ECEC for child's development (Agencija za predškolsko, osnovno i srednje obrazovanje, 2011).

Finally, service providers have retained a high autonomy in defining the ECEC enrolment criteria. Due to an insufficient number of ECEC places, service providers rely on selective practices (i.e. preferential criteria) that are known to contribute to social inequalities in access to ECEC (see, e.g. Yerkes & Javornik, 2018). Since the ECEC systems, mostly due to weak capacities, continue to prioritise the work-family balance function, the priority of enrolment is primarily given to the children of employed parents. Children of lower socioeconomic status

²⁵ For example, only in Canton Sarajevo barely 27 out of 59 pre-war facilities remained functional (Ministarstvo civilnih poslova BIH, 2004).

are mostly remaining out of the ECEC system (see for example Dobrotić, 2013; Dobrotić *et al.*, 2018; Mladenović, 2016).²⁶ Also, due to large regional differences in ECEC accessibility, the children living in less developed areas, rural and depopulated areas are facing additional obstacles when entering the ECEC (see UNICEF, 2012; Prica *et al.*, 2014; Dobrotić *et al.*, 2018).

Table 6: Selected ECEC accessibility indicators in selected post-Yugoslav countries – ECEC entitlement, mandatory programs, and childcare gap

	Childs' age at the start of ECEC entitlement	Mandatory preschool program		Childcare gap (months): the gap between the child's age at the start of ECEC entitlement and:	
		Childs' age when eligible (year of implementation start)	Duration	end of parental leave	end of well-paid parental leave
BIH	-	decentralised system ²		∞	∞
HR	-	5.5 (2014)	150-250 hours ³	∞	∞
ME	-	5 (2011)	3 hours/day ⁴	∞	∞
RS	-	5.5 (2007) ⁵	4 hours/day; 9 months ⁵	∞	∞
SI	11 months ¹	5(2018)	240 hours	0	0

Notes: ∞ there is no legal entitlement to ECEC; 1 = it is realized if there are enough children to create a new educational group (or through a concession) 2 = although the Framework Law on Early Childhood Education and Care (Official Gazette of Bosnia-Herzegovina, No. 88/2007) stipulates that all children in the year before the entrance in primary school are obliged to attend a mandatory preschool program, the cantonal laws are still not fully harmonized and this provision was not introduced and implemented in all parts of Bosnia-Herzegovina (e.g. the Herzegovina-Neretva Canton did not align with the Framework Law, while the Canton of Central Bosnia postponed the implementation of this provision by 2019/2020 pedagogical year); 3 = the regular duration of the program is 250 hours in a year before entering the primary school; 150 hours only in the case of a small number of children, difficult conditions of arrival or stay of children in a program, or other objective difficulties; the program must be organised within a distance of 20 kilometres from the residence of the child; 4 = duration of the program was regulated in 2017; 5 = at the time of introduction, the program's duration was defined as four hours per day for six months, to be extended to nine months in 2009.

Source: Dobrotić (2019a)

The ECEC affordability mechanisms are weak in most of the countries

It is well-known that just affordable ECEC programs enable parents' (primarily mothers') participation in the labour market (e.g. Del Boca *et al.*, 2009; Geyer *et al.*, 2014), and allow for higher ECEC enrolment rates of children from families of lower socioeconomic status (e.g. Abrassart & Bonoli, 2015). Still, the state-level mechanisms that were initially introduced by some of the former Yugoslav countries with a purpose to make the ECEC affordable have in most cases become weaker since 1990 (e.g. the prescribed upper ceiling on parental fees, parental participation limited at meal costs). The providers were given a higher autonomy in defining the ECEC costs, and local self-government units in defining the subsidies level.

For example, through gradual reforms in the last decade, Montenegro has opened up a larger space to shift a higher share of the ECEC costs towards parents. Namely, until 2002 the parents were required to participate only in the share of the meal costs by their socioeconomic status, while since the legislative changes in 2007 they have been obliged to cover full meal costs and since 2016 they can be also charged for the costs of the ECEC

²⁶ For example, in Croatia only 2% of children attending ECEC have both unemployed parents (Dobrotić *et al.*, 2018), and in Serbia only 8.6% of children of lower socioeconomic status attended the ECEC (Mladenović, 2016).

program.²⁷ On the other hand, Serbia, which during the early 1990s introduced the upper limit on parental ECEC fees to make programs more affordable (maximum of 20% of the ECEC program price), repealed the same practice in 2017 and gave greater autonomy to service providers. That also opened a space for higher parental ECEC fees, and potentially made ECEC programs less accessible for children of lower socioeconomic status and in less developed areas. Namely, in Croatia, which has pursued such practices since the 1960s, the ECEC programs are not affordable to children from lower socioeconomic status, and there are also large regional differences in the ECEC affordability (Baran *et al.*, 2011; Dobrotić, 2013; Dobrotić *et al.*, 2018).

After 1990, with the aim to improve the ECEC affordability, only Slovenia defined a methodology for calculating the economic price of the ECEC program, and the subsidies level – a progressive scale is introduced in determining the amount of subsidy that takes into account the socioeconomic status of the family. The reform has reduced the large regional differences in the ECEC costs (Stropnik, 2001), which are still inherent to other compared countries (e.g. Croatia, Dobrotić *et al.*, 2018). The ECEC system has become more accessible to parents of lower socioeconomic status²⁸ and their children (see OECD, 2019b). As research suggests, progressive scale in determining the subsidies level contribute to lower social differences in access to the ECEC programs (e.g. Abrassart & Bonoli, 2015).

²⁷ Single parents participate with 50% lower fees, while for vulnerable children the full costs of the program should be covered by the centre for social welfare.

²⁸ In line with the progressive scale, the parents participate in 0-77% of the ECEC economic price, depending on their socioeconomic status. If more children from one family participate in the program, for the youngest child, parents pay 30% of the corresponding parental fee, while further children attend free of charge.

Post-1990 childcare-related policies reforms and their implications – lessons learned for future policymaking?

A systematic comparison of the development of childcare-related leave policies and services in the post-Yugoslav countries allowed to shed light on the similarities and differences in their policy paths, but above all on the extent and the character of the post-1990 reforms, advancing the understanding of their implications. Looking from a comparative perspective, the former Yugoslav countries have developed generous leave policies – at the end of the socialist period, total leave period ranged from 9 to 13 months, and it was paid at the level of the previous salary (cf. Daly & Ferragina, 2017; Stropnik & Dobrotić, 2018). However, leave policies tended to exclude some groups of parents (e.g., self-employed parents and farmers in most of the countries) or entitle parents with less stable careers to notably lower benefits (e.g. Bosnia-Herzegovina and Slovenia; see Figure 1). They also primarily targeted mothers and thus continued to reproduce traditional gender norms and practices in employment and care (see Dobrotić *et al.*, 2013; Stropnik & Dobrotić, 2018). Finally, in spite of the early start of investments, the ECEC system in the former Yugoslavia remained less developed than in some other socialist countries (cf. Zrinščak, 2002).

The post-1990 leave policies reforms brought a greater divergence among the post-Yugoslav countries, particularly on the *gender dimension of leave policy design and in the generosity level of leave benefits*. As shown, among the compared post-Yugoslav countries, only Slovenia managed to keep all the elements of the leave policies inherited from the socialist period²⁹ and has since then gradually improved the gender dimension of leave policies design. Slovenia is the only country successful in providing incentives for fathers to take-up the leave – since the introduction of well-paid paternity leave, the number of fathers and days they spent on leave had continuously grown, reaching four out of five fathers (Stropnik, 2018). Besides that, Slovenia has improved the ECEC accessibility, availability and affordability, and for most of the parents there is no childcare gap between the end of well-paid parental leave and the start of the legal entitlement to ECEC. It is thus not surprising that Slovenia has the lowest gender gap in employment and performs better in men's involvement in childcare. For example, in 2018 the employment rate (20-64) of men was 79% and women 71.7%, while the employment rate of fathers (25-49) with children younger than six was 97.1% and mothers 83.3% (Eurostat, 2019a). Also, men in Slovenia spend 18 hours a week in caring for or/and educating children – 10 hours less than women. This gender gap in childcare is more pronounced in other analysed countries where it ranges from 17-21 hours a week (e.g. in Montenegro and Serbia, women spend around 38 hours a week in caring for or/and educating children, and men around 18-20; EQLS, 2016). There is also a larger gender gap in parents employment in these countries. For example, the employment rate of fathers (25-49) with children younger than six in Montenegro was 80.7% and mothers 51% (Eurostat, 2019a).

That is not surprising as the analysis showed that all the analysed countries except Slovenia failed to implement policies which would challenge gendered redistribution of care and employment and provide more favourable conditions for work-family balance. Mothers have remained the main leave beneficiaries in Serbia and Montenegro (Kabinet ministra bez

²⁹ Including the leave benefits at the level of the previous salary (only exception was a temporary decrease of paternity and parental leave benefits in the 2012-2018 period, related to the post 2009-crisis measures, from 100 to 90% of previous earnings for persons earning more than minimum salary).

portfelja zaduženog za demografiju i populacionu politiku, 2017; Politika, 2019), which still did not align with the EU parental leave directive and do not provide fathers with the individual, non-transferable entitlements to leave rights. Although in the process of the EU negotiation and alignment with the EU parental leave directive, Croatia introduced the father's quotas, the parental leave continues to be used mostly by mothers. That is partially a result of the leave policy design per se, i.e. a low level of parental benefits and strict eligibility criteria that limit the right solely to dual-earner families with one or two children (Dobrotić *et al.*, 2013; Dobrotić, 2019). The interaction between the leave policy design and gender inequalities in care and employment in the post-Yugoslav countries is thus consistent with previous studies, and indicate that *only well-paid, non-transferable fathers' entitlements* can bring in a change in parenting practices and thus have a transformative effect on gendered parental responsibilities and employment practices (O'Brien & Wall, 2017; Dobrotić & Varga, 2018).

Although post-1990 leave policies gradually become more inclusive, *the social inequalities in access to leave rights did not decrease*. First, in parallel with opening access to employment-based leave benefits to self-employed parents, farmers and/or parents in occasional and short-term employment, countries made eligibility criteria for leave benefits stricter what importantly affected parents with less stable careers or weak attachment to the labour market³⁰ – they were left without employment-based leave benefits or became eligible to much smaller benefit amounts. That was particularly inherent to reforms in Croatia, Montenegro and Serbia, the three countries that in the early 1990s granted the full amount of leave benefits (i.e. 100% the previous salary) to all employed parents, regardless of their employment history and insurance period immediately before the leave (see Figure 1). It is important to notice that the post-1990 reforms that introduced stricter eligibility criteria for employment-based leave benefits have been introduced in the context of growing precariousness in the labour market, including a rise in insecure careers and interrupted employment periods. Therefore, a growing number of parents may be in risk of not being able to fulfil eligibility criteria of long and uninterrupted insurance periods before the leave to exercise the right to (the full amount of) employment-based benefits (see Dobrotić & Blum, 2019). The negative effects of this type of reforms may become particularly pronounced in countries, which have not introduced the equivalent citizenship-based benefits (aimed at unemployed/inactive parents) or have failed to define minimum leave benefits for parents who do not fulfil employment-related eligibility criteria — the experience of Serbia and the 2018 reform point at that. Namely, the introduction of the condition of a longer previous insurance period (18 months, excluding pregnancy-leave periods if there were any) did not come together with a defined minimum benefit level, leaving some parents (i.e. mothers) with extremely low benefits (Blic, 2018; Espresso, 2018).

Second, while in the post-1990 period the citizenship-based benefits aimed towards unemployed and inactive parents were also introduced and have become gradually more inclusive, in countries such as Serbia and Croatia (recently also Montenegro) there has been an additional tendency, driven by pronatalist agenda, to provide long-term childcare leave-related benefits to families with more children. These are low, flat-rate benefits, gendered in

³⁰ Slovenia is again an outlier here – Slovenia made a system more inclusive already in the late 1980s and have also slightly improved the citizenship-based benefits since then. When it comes to eligibility criteria for employment-based benefits, Slovenia kept the same eligibility criteria for leave benefits but have slightly improved the benefits level for those with less stable careers (Figure 1).

their character, which eventually do not allow mothers to incorporate care into their everyday life without endangering their autonomy and independence (see, e.g. Knijn & Kremer, 1997; Dobrotić & Blum, 2019). They also tend to withdraw women from the labour market and have a higher propensity to be used by lower social strata (e.g. Dobrotić, 2015, 2019b, cf. Sainsbury, 2019), raising social inequalities in parenting practices. The ECEC unavailability and weak affordability can only additionally reinforce social and gender inequalities in care and employment, as mostly parents (i.e. mothers) of lower social strata and in less developed areas face obstacles while entering the ECEC or organising care. Finally, inequalities in Bosnia-Herzegovina are additionally co-determined by territorial dimension as Bosnia-Herzegovina has been faced with many difficulties to re-establish maternity benefits after they were decentralised in the Federation of BiH in the late 1990s and ceased to exist in some cantons (see Institucija ombudsmena za ljudska prava BiH, 2015).

The childcare-related policies in most of the post-Yugoslav countries thus continue to reproduce and even strengthen social and gender inequalities in care and employment, which are additionally „institutionalised“ along territorial lines. Although a multiple inequalities in parenting practices in childcare and employment in these countries need a deeper investigation, this analysis points out at an evident need to redefine many elements of their childcare-related policies to make them less gendered and more inclusive and thus more successful in preventing and overcoming gender and social inequalities in care and employment, but also able to improve child well-being.

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