

In 2016, Serbia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Strategy for Roma Inclusion with the goal to improve the status of the Roma population in Serbia, including enrollment of Roma children in preschool. The Standard Operating Procedures for immigrant and migrant children were implemented, which aid in the identification of children at risk of being trafficked, disabled children, and girls. The Government also passed the Development Partnership Framework to promote inclusive education, especially for vulnerable populations and strengthening social welfare for families. However, children in Serbia still perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The Government lacks a national policy to combat child labor and both the Council for Combating Trafficking in Human Beings and the National Council for Children's Rights did not meet during the reporting period.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Serbia perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Serbia.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	15.1 (725,227)
Attending School (%)	5 to 14	97.7
Combining Work and School (%)	7 to 14	17.4
Primary Completion Rate (%)		101.0

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown (8)
Industry	Manufacturing, activities unknown (9)
	Construction, activities unknown (9)
	Mining and quarrying (9)
Services	Street work, including washing cars, collecting scrap material, vending, and begging (3, 10-13)
	Wholesale and retail trade (9)
	Repairing motor vehicles (9)
	Working in food service, information and communication, and transportation and storage (9)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5, 11, 12, 14, 15)
	Forced begging, sometimes as a result of human trafficking (2-5, 12, 14)
	Use in the production of pornography as a result of human trafficking (1, 12)
	Domestic work as a result of human trafficking (2, 5)
	Use in illicit activities, including in petty crime (2-5, 12)

<sup>‡</sup> Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

# Serbia

## MODERATE ADVANCEMENT

Serbia lacks recent, comprehensive data on the nature and extent of child labor in the country. Children from Serbia, particularly those from Roma communities, were trafficked internally to engage in the worst forms of child labor, including commercial sexual exploitation.(5) Child trafficking victims, especially girls, Roma children, and children from low-income families in rural communities, are most vulnerable to child labor.(3, 16)

Asylum seekers and grantees are allowed to access free primary and secondary education in Serbia, however, migrant children who are not registered in the Serbian asylum system do not have access to the formal education system.(3, 17) Unaccompanied children and those of migrant and asylum-seeking families from Afghanistan, Syria, Cameroon, Pakistan, and Nepal are vulnerable to trafficking for labor and sexual exploitation, particularly if they are not enrolled in school.(3, 12, 18, 19) Social programs assisted with educational plans for migrant children, but those in asylum centers remain without access to national education.(17, 20)




Birth certification is required for attending school in Serbia. Some Roma children experience challenges in attaining birth registration, which makes school enrollment difficult.(13, 21, 22) This increases their vulnerability to engage in child labor. Although the Government has instituted a program to increase the attendance of Roma children in preschool, economic hardship, ethnic discrimination, language barriers, and placement in special, non-mainstream schools sometimes discourage some children from attending school, especially some Romani girls.(13, 21, 22) An informal technical working group exists to streamline complex registration procedures for undocumented minorities, including the registration of children of unregistered parents.(17) Government officials indicate that, as a result of these efforts, the number of undocumented individuals in Serbia decreased from 6,500 to 400 persons, including children.(17) Training for judges, registrars, social workers, and other officials who needed to implement the revised procedures was concluded in November 2016.(17)

Constitutional and legal protections prohibit discrimination in education against individuals with disabilities.(21-24) However, some individuals with disabilities, especially Roma children, sometimes faced difficulty accessing education, partly due to deeply entrenched social prejudices.(22, 25)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Serbia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Serbia's legal framework to adequately protect children from child labor.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 24 of the Labor Law; Article 66 of the Constitution (23, 26)
Minimum Age for Hazardous Work	Yes	18	Article 25 of the Labor Law; Article 66 of the Constitution (23, 26)

**Table 4. Laws and Regulations on Child Labor (cont)**

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 25, 84, and 87–88 of the Labor Law (26)
Prohibition of Forced Labor	Yes		Article 26 of the Constitution (23)
Prohibition of Child Trafficking	Yes		Article 388 of the Criminal Code; Article 26 of the Constitution (23, 27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 112 and 183–185 of the Criminal Code (27)
Prohibition of Using Children in Illicit Activities	Yes		Article 388 of the Criminal Code (27)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 4 of the Law on Military, Labor, and Material Obligation (28)
State Voluntary	Yes	18	Article 39 of the Law on the Army (29)
Non-state Compulsory	Yes	18	Article 4 of the Law on the Ratification of the Optional Protocol Involvement of Children in Armed Conflict (30)
Compulsory Education Age	Yes	15 <sup>‡</sup>	Article 71 of the Constitution; Articles 94 and 98 of the Law on the Foundations of the Education System (23, 31)
Free Public Education	Yes		Article 71 of the Constitution; Article 91 of the Law on the Foundations of the Education System (23, 31)

\* No conscription (28, 32)

‡ Age calculated based on available information (23, 31)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment, Veteran, and Social Affairs	Inspect businesses, receive and investigate complaints through the Inspectorate.(33) Through the Center for Human Trafficking Victims' Protection (CPTV) identify and rescue child trafficking victims and potential victims, conduct needs assessments, and refer victims to social services. Maintain records on beneficiaries, and contribute to trafficking research projects.(2) Includes the Agency for Coordination of Protection of Trafficking Victims and the Urgent Reception Shelter for Trafficking Victims.(3)
Ministry of the Interior (MOI)	Enforce laws prohibiting commercial sexual exploitation and human trafficking through the Organized Crime Police and Border Police Force. Oversee the General Police Directorate, which consists of 27 local police directorates with dedicated anti-trafficking units.(2, 34, 35) In 2016, the Law on Police shifted the role of the Office for Coordination against Trafficking in Persons from the Border Police Department to become part of the Criminal Police Department (of the General Police Directorate).(3, 36)
State Prosecutor's Office	Lead investigations on human trafficking cases and exchange information through a network of 27 local prosecutors and NGOs.(34) Provide financial support to the CPTV.(37)
Parliamentary Committee on Children	Review all draft legislation pertinent to children's rights. Monitor the implementation of the child-related provisions of all laws.(16)
Deputy Ombudsman for Children's Rights, Office of the Protector of Citizens	Monitor and conduct research on the situation of children's rights in Serbia. Produce reports on child begging, promote inclusive education and legal prohibition of corporal punishment, and manage draft laws on children's rights for parliamentary approval.(38)

In 2016, the Center for Human Trafficking Victims' Protections (CPTV) was looking for donors to complete the Urgent Reception Shelter.(3) However, it is unclear when it will be completed. When fully operational, the Urgent Reception Shelter will provide temporary accommodations for child trafficking victims; however, it is not a specialized shelter for children.(2)

# Serbia

## MODERATE ADVANCEMENT

NGOs report a lack of coordination between the CPTV and NGOs, especially in the treatment of trafficked children who require unique assistance.(4, 17)

### *Labor Law Enforcement*

In 2016, labor law enforcement agencies in Serbia took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (12)	\$2,987,698 (3)
Number of Labor Inspectors	238 (12)	240 (3)
Inspectorate Authorized to Assess Penalties	Yes (12)	Yes (3)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (17)	N/A (17)
Training on New Laws Related to Child Labor	No (2)	N/A (3)
Refresher Courses Provided	No (2)	No (3)
Number of Labor Inspections	55,396 (12)	53,069 (39)
Number Conducted at Worksite	Unknown (12)	Unknown (3)
Number Conducted by Desk Reviews	Unknown (12)	Unknown (3)
Number of Child Labor Violations Found	36 (12)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (12)	N/A
Number of Penalties Imposed that Were Collected	Unknown (12)	N/A
Routine Inspections Conducted	Yes (33)	Yes (3)
Routine Inspections Targeted	Unknown (12)	Yes (3)
Unannounced Inspections Permitted	Unknown (12)	Yes (3)
Unannounced Inspections Conducted	Unknown (12)	Yes (3)
Complaint Mechanism Exists	Yes (33)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12, 40)	Yes (3)

\* The Government does not publish this information.

Labor inspectors are responsible for registered and unregistered entities. If children are identified in situations of exploitative labor, they may be referred to receive social services at a center for social work found in every locality.(12, 35) Although laptops were provided to labor inspectorate offices in order to ease the monitoring of child labor cases, research found that the labor inspectorate generally lacked funding to provide specialized training and the necessary equipment, such as vehicles, to facilitate the enforcement of laws prohibiting child labor.(12, 41, 42) The CPTV now frequently accompanies the Ministry of Labor (MOL) on inspections. Labor inspectors do not have power to fine companies or organizations for violations, but the CPTV provides cross-training to labor inspectors on human trafficking related issues, including child labor.(17)

In 2016, 115 social centers and the MOL formed internal teams for the protection of children with disabilities and street children. These teams accommodate children with homes, food programs, and relocation from harmful family situations.(42) In July 2016, the Ministry of Justice supported 22 additional rehabilitation institutions for children. However, according to the MOL, the social centers are overburdened, with 2,000 employees handling 750,000 cases per year in all categories of social work.(3)

A checklist related to child labor for inspections has been drafted and is pending approval from the Ministry of State Administration and Local Self-Government.(3) In addition, a special protocol for unannounced inspections, which includes questions related to child labor, has been drafted and is pending approval from the relevant authorities.(3)

### *Criminal Law Enforcement*

In 2016, criminal law enforcement agencies in Serbia took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Yes (2)	Yes (4)
Number of Investigations	Unknown	Unknown
Number of Violations Found	19 (12)	21 (4)
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	21 (43)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (4)

In 2016, a permanent human smuggling task force was created, led by the Organized Prosecutor's Office.<sup>(4)</sup> Human trafficking training is provided as a part of the general police curriculum and is given to law enforcement officials who process immigration cases.<sup>(4)</sup> Training on commercial sexual exploitation is only provided to police officers in the capital. In 2016, 88 police officers were trained on trafficking in persons (TIP) identification.<sup>(4)</sup>

Social Welfare Centers, the primary provider of social services to human trafficking victims, had mandatory involvement in cases of child trafficking victims.<sup>(2)</sup> Both entities worked together to draft a protection plan in consultation with the victim.<sup>(4)</sup> However, NGOs reported that CPTVs lacked specialized care and procedures for child victims.<sup>(2, 4, 17)</sup>

In addition, criminal law enforcement personnel dedicated the majority of their resources to cases of human smuggling related to the migration crisis, which diminished their ability to investigate and prosecute human trafficking cases.<sup>(2, 4)</sup>

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Council for Children's Rights	Coordinate government efforts to address child labor by monitoring and evaluating government activities. The Council includes representatives from international organizations and government ministries. <sup>(44)</sup>
National Council for Combating Trafficking in Human Beings	Set government trafficking in persons (TIP) policies and chaired by the MOI. The National Coordinator for Combating Trafficking in Persons acts as the Secretary of the Council and manages the work of the Implementation Team. <sup>(2)</sup> Members of this team include various ministries. <sup>(2)</sup>
Refugee Partnership Working Groups (RPWGs)	Address refugee protection, shelter, health, food, and community support. Co-chaired by ministries, NGOs, local governments, and international organizations. <sup>(20)</sup> The RPWG meets on a monthly basis, is the main mechanism for coordination of agencies/NGOs in Serbia, and has three sub-working groups, including a group on child protection. <sup>(20)</sup>

The Government, NGOs, and national shelters implemented the Standard Operating Procedures (SOPs) for immigrant and migrant children in 2016.<sup>(45)</sup> SOPs aid in the identification children at risk of being trafficked, while keeping the child's best interest in mind.<sup>(45, 46)</sup>

Although 17 of the 27 police directorates in the country have established teams to combat human trafficking, a source reported that many of these anti-trafficking teams were inactive during the reporting period.<sup>(2, 4)</sup> The Council for Children's Rights (the Council) was also inactive in 2016 and therefore unable to coordinate government efforts to address child labor.<sup>(3)</sup> Although the Council established a working group in November 2014 that would be responsible for developing an action plan to address street begging, this working group did not hold any meetings during the reporting period.<sup>(12, 44)</sup>

In 2016, the Office of the National Anti-Trafficking Coordinator promoted anti-trafficking and discouraged demand for products produced by child labor.<sup>(2)</sup> Serbia's Public Procurement Law allows government institutions to include social responsibility requirements in their tenders, including requiring bidders not to use child labor.

# Serbia

## MODERATE ADVANCEMENT

Research found that the National Coordinator for Combating Trafficking in Persons (National Coordinator) was not provided with a budget or a formal work plan in 2016.(4) Although the National Coordinator was active throughout the reporting period, constraints on time and financial resources limited the scope of work. This prevented the National Coordinator from addressing police investigations, prosecutions, and the protection of trafficking victims.(2, 4, 34) In addition, as a Ministry of the Interior (MOI) official, the National Coordinator's independence is limited. The Cabinet of the MOI must provide approval before the National Coordinator can work or meet with non-Serbian government officials or organizations.(2, 4, 34) The National Council for the Fight Against Human Trafficking did not meet in 2016.(4)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Strategy for Roma Inclusion (2016–2025)†	Aims to improve the status of Roma population in Serbia in education, including preschool inclusion. Seeks to include representatives from Roma communities in policy implementation.(47)
Anti-Discrimination Strategy and Action Plan (2013–2018)	Seeks to prevent discrimination and improve the situation of children and ethnic minorities, including Roma, refugees, internally displaced children, and victims of human trafficking and commercial sexual exploitation, including those used in the production of pornography.(48) Between 2015 and 2016, trainings were held for government officials, representatives of the Action Plan, and civil society organizations on activity coordination and implementation.(17)
Protocol on Rules and Procedures for the Institutions and Organizations Working with Children Involved in Life and Work on the Streets of Belgrade	Aims to enhance institutional cooperation among the MOI, the Criminal Police Directorate, Communal Police, City Centers for Social Work, the City Secretariat for Education, the City Secretariat for Health, and civil society organizations. Defines street children, worst forms of child labor, useful child work, and child trafficking.(3) Stipulates lead institutions, rules, and procedures for interacting with street children. Save the Children is funding the first round of trainings.(3)
Decree on Dedicated Transfers	Aims to allocate funds to local governments for the development of social services for people with disabilities, including children.(49)
Development Partnership Framework (2016–2020)†	Government of Serbia and UN strategic planning document for the achievement of the UN's sustainable development goals, including inclusive education, especially for the most vulnerable, and strengthening social welfare for families.(50)

† Policy was approved during the reporting period.

In 2016, the Government continued to draft the National Strategy for Preventing and Combating Trafficking in Persons for 2014–2020 (National Strategy) and its accompanying Action Plan for 2014–2015; however, the National Assembly did not adopt either the National Strategy or the Action Plan in 2016.(2-4, 34, 37, 44) There has not been an up-to-date National Strategy in place since 2011.(12) In addition, research was unable to determine whether activities were undertaken to implement the Decree on Dedicated Transfers during the reporting period.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Serbia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Key Social Programs to Address Child Labor†**

Program	Description
USDOL-Funded Programs	<u>Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)</u> is a USDOL-funded capacity-building project implemented by the ILO in 11 countries to build local and national capacity of the Government to address child labor.(51) In 2016 a roundtable was held with government officials, organizations, and institutions to review and improve recommendations for the child labor laws.(52) Labor inspections targeted to child TIP and training was also conducted.(4) The <u>Global Research on Child Labor Measurement and Policy Development (MAP)</u> is a USDOL-funded, 2-year project implemented by the ILO that aims to increase the knowledge base on child labor in Serbia.(51, 53) For additional information about USDOL's work, please visit our <a href="#">Web site</a> .
Child Allowance Program†	Government cash benefits program for poor families, conditional on school enrollment for children ages 7 and older.(38, 54) In 2016, the Government allocated \$23 per child for low income families and \$30 per child for single parents and families with disabled children.(17)



**Table 10. Key Social Programs to Address Child Labor\* (cont)**

Program	Description
Assistance to Roma Children in Education†	Ministry of Education program that seeks to improve the school attendance rate of Roma children. Includes a Serbian language training component to help Roma students integrate into the school environment.(38) In 2016, Government increased efforts to enroll Roma children in primary school, including hiring 191 Roma teaching assistants for kindergartens and primary schools.(17)
Strengthening the Identification and Protection of Victims of Trafficking	Implemented by the IOM, the CPTV, and the MOI, the project contributes to the implementation of the National Anti-Trafficking Strategy by improving mechanisms for the prevention and identification of victims of human trafficking. Establishes general and specific monitoring indicators.(15)

† Program is funded by the Government of Serbia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(4, 24, 55)

Research was unable to determine whether activities were undertaken to implement Strengthening the Identification and Protection of Victims of Trafficking program.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Serbia (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor inspectors and criminal investigators have the necessary training, tools, and equipment to conduct thorough investigations on laws related to child labor.	2010 – 2016
	Make information regarding child labor and criminal law enforcement, including the number of criminal law investigations conducted, and the number of criminal prosecutions initiated and convictions, publicly available.	2015 – 2016
	Ensure that staff members at the Center for Human Trafficking Victims' Protection and Social Welfare Centers have sufficient capacity to address the specific needs of child trafficking victims.	2015 – 2016
	Ensure that criminal law enforcement personnel dedicate time and resources to human trafficking cases.	2016
Coordination	Ensure that local teams of police, prosecutors, social workers, health workers, and local NGOs to combat human trafficking are used in the police directorates in which they have been established.	2015 – 2016
	Ensure that coordinating mechanisms to combat child labor, including its worst forms, fulfill their mandate.	2013 – 2016
	Ensure that the National Anti-Trafficking Coordinator has sufficient resources to effectively address coordination with police investigations, prosecutions, and the protection of trafficking victims, and increase the National Anti-Trafficking Coordinator's independence.	2015 – 2016
Government Policies	Adopt a new National Strategy and Action Plan for Preventing and Combating Human Trafficking in Serbia.	2013 – 2016
	Ensure that the Decree on Dedicated Transfers fulfills its mandate.	2016
Social Programs	Conduct comprehensive research to describe the specific work activities carried out by children in the agriculture, industry, and informal sectors to inform policy and program design.	2013 – 2016
	Address barriers to education, including birth registration documentation; access and discrimination for children with disabilities; and access for migrant and minority populations, particularly unaccompanied minors, asylum seekers, and Roma.	2014 – 2016
	Improve methods of educating families about the requirements for proper registration and documentation in order to receive social assistance; ensure that the revised registration procedures are implemented efficiently and properly.	2011 – 2016
	Complete the necessary steps to make the Urgent Reception Center to protect child victims of human trafficking operational and ensure that it is fully funded to carry out its mission.	2013 – 2016

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that the Center for Human Trafficking Victims' Protection and Social Welfare Centers have sufficient capacity to address the specialized needs of child trafficking victims.	2015 – 2016
	Ensure that Strengthening the Identification and Protection of Victims of Trafficking fulfills its mandate.	2016

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