

Serbia

MINIMAL ADVANCEMENT

In 2013, Serbia made a minimal advancement in efforts to eliminate the worst forms of child labor. The Anti-Trafficking Coordinator, in a partnership with several NGOs, created anti-trafficking teams in seven locations to raise awareness of trafficking, create prevention programs, and assist in victim identification. However, children in Serbia, particularly Roma children, continue to engage in the worst forms of child labor, including forced begging and commercial sexual exploitation. In addition, the National Assembly did not adopt the 2013–2018 national strategy to guide the government’s work in preventing and protecting children from child pornography and trafficking. Serbia’s laws also fail to protect children fully from the worst forms of child labor. Serbia does not specifically prohibit the use, procurement, or offering of a child for the production and trafficking of drugs. In addition, the Government does not have a list of hazardous occupations prohibited for children, and there is a general lack of coordination among government agencies to address the worst forms of child labor.



I. Prevalence and Sectoral Distribution of Child Labor

Children in Serbia are engaged in the worst forms of child labor, including forced begging and commercial sexual exploitation.(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)	5-14 yrs.	6.0 (54,045)
Attending School (%)	5-14 yrs.	92.5
Combining Work and School (%)	7-14 yrs.	6.7
Primary Completion Rate (%)		93.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2013.(6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 3, 2005.(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	Activities unknown* (8)
Industry	Manufacturing, activities unknown (9)
	Construction, activities unknown (9)
	Mining and quarrying (9)
Services	Street work, such as washing cars,* collecting scrap material,* working as street vendors,* and begging (4, 10-12)
	Wholesale and retail trade (9)
	Repairing motor vehicles (9)
	Working in food service, information and communication, and transportation and storage (9)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, begging, and petty crimes as a result of human trafficking (3, 5, 13, 14)
	Forced begging* (13)
	Used for forced theft* (13)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

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

While some data exists on children’s work, information is not complete enough to determine the extent to which children under age 18 work and their specific activities.







Children most vulnerable to exploitation for labor and commercial sexual exploitation include children from the Roma population, poor rural communities, foster care, low-income families, and those with special needs.(4) Victims of trafficking for commercial sexual exploitation, including children, are mostly trafficked internally.(5)

Economic hardship, ethnic discrimination, and cultural norms, particularly for girls, often discourage minority groups, especially Roma children, from attending school.(10) This makes them more vulnerable to the worst forms of child labor.

II. LEGAL FRAMEWORK ON 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 relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 66 of the Constitution of the Republic of Serbia (15)
Minimum Age for Hazardous Work	Yes	18	Article 66 of the Constitution of the Republic of Serbia (15)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 26 of the Constitution of the Republic of Serbia (15)
Prohibition of Child Trafficking	Yes		Article 350 of the Criminal Code of the Republic of Serbia (16); Article 26 of the Constitution of the Republic of Serbia (15); The Law on the Protection Program for Participants in Criminal Proceedings of 2006 (17); Article 58 of the Law on Foreigners (18); The Law on Social Welfare (19); The Law on Temporary and Permanent Residence (5)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 183–185 of the Criminal Code of the Republic of Serbia (16)
Prohibition of Using Children in Illicit Activities	No		

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 25, Law on Military, Labor and Material Obligation (20)
Minimum Age for Voluntary Military Service	Yes	18	Article 39 of the Law on the Army (21-23)
Compulsory Education Age	Yes	15	Article 71 of the Constitution of the Republic of Serbia(15); Article 9 and 98 of the Law on the Foundations of the Education System (24)
Free Public Education	Yes		Article 71 of the Constitution of the Republic of Serbia (15); Article 91 of the Law on the Foundations of the Education System (24)

The Government of Serbia has not established a list of hazardous activities and occupations prohibited to children.(25)

The Criminal Code applies different penalties to those who use children to make pornography-based on the age of the child.(16, 26) When this crime involves children under age 14, the penalties range from 1 to 8 years in prison; penalties for using minors, defined as individuals older than age 14 and younger than age 18, to make pornographic materials range from 6 months to 5 years.(26) This minimum penalty of 6 months for using minors to create pornography may be an insufficient deterrent for such a serious crime.

Article 247 of the Criminal Code prohibits giving drugs to minors for their own use or for another’s use.(16) However, the Criminal Code does not prohibit specifically the use, procurement, or offering of children under age 18 for the production and trafficking of drugs and other illicit activities.(3, 17)

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).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
The Ministry of Labor, Employment and Social Policy’s Labor Inspectorate	Enforce labor laws and conduct inspections, including those related to child labor.(10)
The Ministry of Interior	Enforce laws prohibiting commercial sexual exploitation and trafficking through the Organized Crime Police Force and the Border Police Force.(25) Oversee the General Police Directorate, which consists of 27 local police directorates, with some having dedicated trafficking units comprising police, prosecutors, social workers, health workers, and local NGOs.(5, 27)
The State Prosecutor’s Office	Lead investigations on trafficking cases and exchange information on human trafficking through a network of prosecutors and two NGOs.(27) Provide financial support to the Center for Human Trafficking Victims’ Protection by collecting fees from defendants in minor criminal cases.(28)
The Center for Human Trafficking Victims’ Protection, Ministry of Labor, Employment and Social Policy	Identify and rescue child trafficking victims and children at risk of being trafficked, conduct needs assessments, and refer victims to social services.(12, 28) Includes the Agency for Coordination of Protection of Trafficking Victims and the Urgent Reception Center for Trafficking Victims.(28) Maintain a database of its beneficiaries and of the services provided to them, and participate in research projects that relate to trafficking.(28)
Parliamentary Committee on Children	Review all draft legislation in terms of children’s rights to ensure legislation is aligned with international norms and standards. Monitor the implementation of the child-related provisions of all laws pertaining to children.(4, 12) Report to the UN CRC.(4)
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, including producing reports on child begging, promote legal prohibition of corporal punishment and inclusive education of children, and manage the drafting of a comprehensive law on children’s rights for Parliamentary approval.(22, 25, 29)

During the reporting period, the Center for Human Trafficking Victims’ Protection was not able to establish its emergency shelter for victims of human trafficking because the shelter’s potential physical location was the subject of litigation.(9) However, the Government offered a new location for the emergency shelter known as the Urgent Reception Center. NGOs raised concerns that the Center for Human Trafficking Victims’ Protection lacked

procedures for assisting child trafficking victims.(28) Criminal law enforcement agencies in Serbia took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2013, 250 inspectors in the Serbian Labor Inspectorate were authorized to inspect the formal sector, including for child labor violations.(13) If inspectors discovered unregistered businesses, they might have penalized them for not being registered.(25) The Inspectorate conducted approximately 30,000 labor inspections. The Ministry of Labor, Employment and Social Policy reports no child labor violations.(25) Research indicates that the Government reported no data on children under age 15 working in the formal sector, including in agriculture.

According to the reports of the Confederation of Autonomous Trade Unions of Serbia, the Labor Inspectorate is sometimes denied the right to enter a workspace to conduct inspections in new private enterprises.(30) Additionally, there has been a decline in the number of inspections in agriculture. Inspectors generally lacked specialized training and the necessary equipment, such as computers and vehicles, to facilitate adequate enforcement of the labor laws prohibiting child labor.(8, 12, 13)

Criminal Law Enforcement

In 2013, the Government identified 76 victims of human trafficking, 30 of whom were under age 18, and 16 individuals who were at risk of being trafficked.(9, 28) Approximately half of the underage children were trafficked for sexual exploitation, while the remainder of the children were trafficked for labor or forced marriage.(13, 14)

The Government charged 63 individuals for committing crimes such as trafficking for sexual exploitation, criminal activity, begging, forced marriage, and commercial sexual exploitation.(28)

Children found in forced begging are often penalized for petty offenses instead of being treated as victims of trafficking.(1)

The Anti-Trafficking Coordinator participated in numerous conferences, workshops, and international meetings that addressed different aspects of human trafficking and victim protection, including in a regional seminar, “Capacity Building for Combating Human Trafficking for the Purpose of Labor Exploitation,” where he presented the country’s mechanism for fighting against trafficking for labor exploitation.(28)

During the reporting period, the Government, along with NGOs and international organizations, continued to train various government officials on how to recognize, investigate, and prosecute trafficking, as well as how to assist victims properly.(4, 19, 28)

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

Although the Government of Serbia has established mechanisms to coordinate anti-trafficking efforts, research found no evidence of a coordinating mechanism to combat child labor, including its worst forms (Table 6). While the Council for Children’s Rights exists to coordinate children’s issues across the Government, it does not include the coordination of all child labor issues.

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Council for Combating Trafficking in Human Beings (Council)	Set government policies on anti-trafficking. Includes the Ministers from the Ministries of Interior; Finance; Labor; Employment and Social Policy; Health; Justice; and Education. Chaired by the Minister of Interior.(27)
Anti-Trafficking Coordinator	Implement the policies of the Council and coordinate day-to-day anti-trafficking efforts among various government agencies; cooperates with local NGOs. Appointed by the Minister of Interior.(28)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Serbia has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Strategy for Improvement of the Status of Roma in the Republic of Serbia*	Aims to improve the status of Roma in housing, education, employment, and health, as well as to include representatives of Roma communities in the process of policy implementation. Resulted from signing the Declaration of the Decade of Roma Inclusion (2005–2015) in 2005.(31)
Strategy for Combating Trafficking in Human Beings 2006 and the National Plan of Action to Combat Trafficking in Human Beings (2009–2011)	Aims to address the problem of trafficking in human beings in the areas of institutional framework, prevention, assistance, protection, and re-integration of victims; international cooperation; and monitoring and evaluation of mechanisms to combat human trafficking. Currently active until new Strategy is adopted.(27)
Special Protocol on the Treatment of Trafficking Victims by Judicial Authorities	Aims to provide judicial officials with clear guidance to facilitate adequate treatment of trafficking victims.(32)
National Plan of Action for Children and General Protocol on Child Protection from Abuse and Neglect (2005–2015)*	Establishes policies to protect children from abuse, neglect, exploitation, and violence. Associated protocols include the General Protocol on Child Protection from Abuse and Neglect (2005–2015); the Special Protocol on Behavior of Law Enforcement Officers in Protecting Juvenile Persons from Abuse and Neglect; and the Special Protocol on Protection of Children Accommodated in Social Care Institutions.(22, 26)

*The impact of this policy on child labor does not appear to have been studied.

During the reporting period, the Government developed several policies that need to be either finalized or adopted. The Government completed a draft of the new National Strategy for Preventing and Combating Trafficking in Persons for 2014–2020 (National Strategy) and its accompanying Action Plan for 2014–2015 (Action Plan), but they have not yet been adopted by the National Assembly.(27, 28) Instead of developing two separate strategies, the new National Strategy and Action Plan on Trafficking will incorporate policy positions from the previously proposed National Strategy to Prevent and Protect Children from Trafficking and Exploitation for Pornography and Prostitution (2012–2016).(9)

Although the Government adopted the Decade of Roma Inclusion, Roma families continued to be forcibly evicted from their homes or settlements for redevelopment projects without receiving alternative housing, leaving some Roma families homeless.(33-36) This situation increases the vulnerability of children in such families to involvement in the worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Serbia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
The Child Allowance Program*‡	Government cash benefits program for poor families, conditional on school enrollment for children age 7 or older. Provides a regular allowance of \$30 and \$39 to single parents with children.(22, 37, 38)
Assistance to Roma Children in Education*‡	Ministry of Education program to encourage Roma children to attend school regularly and to provide training to help them learn the Serbian language to better integrate into the school environment.(17)
Programs under Social Security Law*‡	Program that provides a range of social services, including assistance to trafficking victims.(5) Includes 140 social centers to maintain 24-hour duty shifts in order to protect children from abuse and neglect.(9)
Anti-trafficking efforts‡	\$155,000 project funded by the Government, European Union, and Germany to assist the Anti-Trafficking Coordinator and several NGOs in creating anti-trafficking teams in seven locations to raise awareness of trafficking, create prevention programs, and assist in identifying victims of trafficking.(13, 28) Anticipates extending its activities to 10 additional cities over the next 2 years, with funding of \$180,000 provided by external actors.(13) Additional efforts include a government program that provides maintenance of an anti-trafficking Web site and publicizing Serbia's anti-trafficking hotline.(4, 19) Government program that grants foreign and domestic trafficking victims free access to social and medical care, and provides them with witness and victim protection services.(5, 13, 19, 28, 39)
Shelters for victims of trafficking	Government-run shelter for trafficking victims. In 2013, organized a workshop, providing its own educational and training materials to local NGOs and the police to inform them about the Center for Social Work's role in victim protection and to share information on how to conduct planning sessions with victims of trafficking.(28)

*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Serbia.

Although the Government of Serbia funded and participated in several social programs, these programs do not directly address the social inclusion of Roma children, the problems of forced begging, or the issue of children working on the street.

Individuals at risk of statelessness, including Roma parents and their children, lacked required documentation, such as birth registration, which restricts their access to basic social services like health and education.(10, 31) Complicated administrative procedures, language barriers, and prejudice against minorities, including Roma communities, discourage minorities from initiating the registration process and accessing social services. While a technical working group exists to streamline complex registration procedures for undocumented Roma, including the registration of children whose parents are not registered, training is still needed for the judges, registrars, and social workers to implement the revised procedures properly.(10, 40) This inability to access social services increases vulnerability of Roma children to the worst forms of child labor.

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 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Enact a list of hazardous activities and occupations prohibited to children.	2009 – 2013
	Amend the Criminal Code to stipulate a minimum punishment for the use of children over age 14 in the production of pornographic materials to be no less than the minimum penalty for children under age 14.	2011 – 2013
	Enact a law that prohibits the use, procuring, or offering of a minor under age 18 for the production and trafficking of drugs and for other illicit activities.	2009 – 2013
Enforcement	Publish data on the number of children, including children under age 15, who are found working.	2013
	Enforce the law stipulating that children found in forced begging should be treated as victims of human trafficking.	2013
	Provide inspectors with the necessary training, tools, and equipment to conduct thorough investigations on child labor-related laws.	2010 – 2013
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2013
Government Policies	Adopt the National Strategy for Preventing and Combating Trafficking in Persons covering 2014–2020 and implement its Action Plan.	2013
	Implement commitments of the Decade of Roma Inclusion by providing for basic needs, such as adequate housing for Roma families that face evictions.	2011 – 2013
	Assess the impact that existing social policies may have on addressing the worst forms of child labor, including forced begging.	2013
Social Programs	Conduct research and publish data that measure the prevalence of working children by age and industry to inform policy and program design.	2013
	Conduct research on the impact existing education programs may have on addressing the worst forms of child labor, especially for Roma children.	2010 – 2013
	Implement programs that address directly the social inclusion of Roma children, problems of forced begging, and the issue of children working on the street.	2013
	Improve the methods of educating and guiding families in need about the requirements for proper registration and documentation in order to receive social assistance and ensure that the revised registration procedures are implemented efficiently and properly.	2011 – 2013
	Fund and support the Urgent Reception Center to protect child victims of human trafficking.	2013

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