

# Serbia

The Government of Serbia has the legal and policy infrastructure to combat trafficking. However, the use of street children—notably ethnic Roma—in begging remains a serious problem. Gaps exist in efforts to monitor and evaluate the impact that its policies and programs have on the worst forms of child labor.

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	6.0
Attending School	5-14 yrs.	92.5
Combining Work and School	7-14 yrs	6.7



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor



Children in Serbia, mostly Roma, are engaged in the worst forms of child labor,<sup>5132</sup> many of them in organized begging. Roma children in the streets beg, sell narcotics and small goods, and wash car windows.<sup>5133</sup> These children may be exposed to severe weather and criminal elements, and may be involved in accidents caused by proximity to vehicles.

To a lesser extent, children work on farms.<sup>5134</sup> Children's work in agriculture may involve the use of potentially dangerous machinery and tools, carrying of heavy loads, and the application of harmful pesticides.

Children, mostly Roma, engage in prostitution. Serbia is a destination, transit, and source country for the trafficking of children for the purposes of sexual and labor exploitation.<sup>5135</sup>

## Laws and Regulations on Child Labor

The Constitution sets the minimum age for work at 15 and for hazardous work at 18.<sup>5136</sup> However, no provision outlines a specific list of activities or occupations that are hazardous to children.

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

The Constitution bans slavery or positions similar to slavery, including human trafficking and forced labor.<sup>5137</sup> The Criminal Code of Serbia prohibits child prostitution, trafficking, and enslavement of children.<sup>5138</sup> The Law on the Protection Program for Participants in Criminal Proceedings of

2006 regulates the protection of and assistance to victims of human trafficking, including children.<sup>5139</sup>

The Criminal Code provides stringent sentences for traffickers.<sup>5140</sup> The Law on Foreigners allows victims of human trafficking to obtain temporary visas.<sup>5141</sup>

There is legislation that stipulates punishment for producing or showing pornographic materials involving children under the age of 14. This includes the use of computer networks for sex crimes against children.<sup>5142</sup>

The Criminal Code does not specifically prohibit the use, procurement or offering of a child for the production and trafficking of drugs and other illicit activities.

Article 32 of the Constitution and section 43 of the law on elementary school stipulates that education is free and compulsory for children up to age 15.<sup>5143</sup>

### **Institutional Mechanisms for Coordination and Enforcement**

Although the Government of Serbia has established the Agency for Coordination and Protection of Trafficking Victims to coordinate efforts to combat trafficking in persons,<sup>5144</sup> research found no evidence of a coordinating mechanism to combat other worst forms of child labor.

The Labor Inspectorate, an agency within the Ministry of Labor and Social Policy, is responsible for the enforcement of labor laws, including child labor laws.<sup>5145</sup> In 2010, the Serbian Labor Inspectorate decreased the number of labor inspectors from 300 to 261, eliminating 39 positions. These inspectors lack necessary equipment to facilitate proper coverage of rural areas.<sup>5146</sup> In 2010, the Labor Inspectorate recorded no official reports or complaints of child labor in the formal economy.<sup>5147</sup> Research did not identify data on the number of inspections conducted.

The Ministry of Internal Affairs leads efforts to enforce anti-trafficking laws. The state

prosecutor's office and the Ministry of Internal Affairs are also responsible for enforcing laws against commercial sexual exploitation.<sup>5148</sup> Every local police station has an anti-trafficking unit. State and border police have full-time anti-trafficking units.<sup>5149</sup> Additionally, the Service for Fighting Organized Crime (SBPOK) has an anti-trafficking department and works with INTERPOL to share information regarding instances of child trafficking.<sup>5150</sup> Training is provided to a variety of government officials on how to recognize, investigate, and prosecute trafficking, as well as how to provide proper assistance to victims.<sup>5151</sup>

In 2010, the Agency for Coordination of Protection of Trafficking Victims identified and rescued 42 child victims and potential victims of trafficking. Of these children, 34 were trafficked for sexual exploitation.<sup>5152</sup> Other children were identified and rescued from trafficking for the purposes of begging and petty crime.<sup>5153</sup>

### **Government Policies on the Worst Forms of Child Labor**

The National Plan of Action for Children (NPA) aims to reduce poverty, protect children from abuse, exploitation, and violence, and to ensure quality education and better healthcare for all children.<sup>5154</sup> The NPA has not been allocated resources by the central Government, though some communities have used it as a framework to create mechanisms to protect children, and funding has been provided in some municipal budgets.<sup>5155</sup>

The Government has been implementing a poverty reduction strategy with the goal of reducing poverty in Serbia by half by the end of 2010 through targeting the poorest and most vulnerable social groups for financial assistance and protection.<sup>5156</sup> The Government has also implemented policies that focus on social protection for Roma children, including the 2005–2015 Roma Decade Framework.<sup>5157</sup> The question of whether these policies have an impact on the worst forms of child labor does not appear to have been addressed.

In 2010, the Ministry of Internal Affairs helped launch the United Nations Global Initiative to Fight Human Trafficking program for Serbia. Through this initiative, the Government works to actualize the National Action Plan to Combat Trafficking for 2009–2011.<sup>5158</sup> The Government is also implementing the Strategy for Fighting Human Trafficking from 2006 that specifically seeks to protect victims of child trafficking.<sup>5159</sup>

### **Social Programs to Eliminate or Prevent the Worst Forms of Child Labor**

The Government is implementing the Child Allowance Program, which provides cash benefits to poor families conditional on school enrollment for children ages 7 and older.<sup>5160</sup>

A Ministry of Education project—Assistance to Roma Children in Education—seeks to encourage regular attendance of Roma children at school and provide training to help them learn the Serbian

language so that they might better integrate into a school environment.<sup>5161</sup> Research found no information assessing the impact these education programs have on the worst forms of child labor.

All social service centers in the country are required to provide 24-hour access for child victims of trafficking.<sup>5162</sup> In addition, the Government provides free access to social and medical care for foreign and domestic trafficking victims and provides them with witness/victim protection services.<sup>5163</sup>

In 2008, the Government sold postage stamps to raise funds for a rehabilitation center for victims of human trafficking. The Agency for the Coordination of the Protection of Trafficking Victims continues to use monies earned from the sale of these stamps to finance the activities of NGOs that provide services to human trafficking victims.<sup>5164</sup>

### **Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Serbia:**

#### **IN THE AREA OF LAWS AND REGULATIONS:**

- Enact a list of hazardous activities and occupations prohibited to children.
- Amend the Criminal Code to specifically prohibit the use, procuring, or offering of a child for the production and trafficking of drugs and other illicit activities.

#### **IN THE AREA OF COORDINATION AND ENFORCEMENT:**

- Establish a coordinating mechanism to combat all worst forms of child labor.
- Provide inspectors with the necessary tools and equipment to conduct thorough investigations in rural areas.

#### **IN THE AREA OF POLICIES:**

- Assess the impact that existing policies promoting development, particularly for the Roma minority, may have on addressing the worst forms of child labor.

#### **IN THE AREA OF SOCIAL PROGRAMS:**

- Conduct research on the impact that existing education programs may have on addressing the worst forms of child labor.

<sup>5132</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2000-2011. Data on working children and school attendance are from 2006. Data on children combining working and schooling are from 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

<sup>5133</sup> U.S. Department of State, "Serbia," in Country Reports on Human Rights Practices- 2011, Washington, DC, April 8, 2011, sections 7c, 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/eur/154449.htm>. See also ILO Committee of Experts, Individual Direct Request concerning Worst Forms of Child Labor Convention (No. 182) Serbia (ratification: 2003): 2008, April 27, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=21906&chapter=9&query=%28C182%29+%40ref+%2B+%28Serbia%29+%40ref&highlight=&querytype=bool&context=0>. See also U.S. Embassy-Belgrade, reporting, February 9, 2010.

<sup>5134</sup> U.S. Embassy- Belgrade, reporting, February 9, 2010.

<sup>5135</sup> U.S. Department of State, "Serbia," in Trafficking in Persons Report- 2010, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/143188.pdf>.

<sup>5136</sup> Government of Serbia, Constitution of the Republic of Serbia, (September 30, 2006); available from [http://www.venice.coe.int/docs/2006/CDL\(2006\)089-e.asp](http://www.venice.coe.int/docs/2006/CDL(2006)089-e.asp).

<sup>5137</sup> Ibid.

<sup>5138</sup> Government of Serbia, Criminal Code of the Republic of Serbia, (February 28, 2006); available from <http://legislationline.org/documents/section/criminal-codes>.

<sup>5139</sup> ILO Committee of Experts, Individual Direct Request C182: Serbia (2008).

<sup>5140</sup> U.S. Embassy- Belgrade, reporting, February 17, 2011.

<sup>5141</sup> ILO Committee of Experts, Individual Direct Request C182: Serbia (2008).

<sup>5142</sup> U.S. Embassy- Belgrade, reporting, February 17, 2011.

<sup>5143</sup> ILO Committee of Experts, Individual Direct Request concerning Minimum Age Convention (No. 138) Serbia (ratification: 2000): 2008, April 18, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&t>

[extbase=iloeng&document=21632&chapter=9&query=Serbia%40ref&highlight=&querytype=bool&context=0](http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=21632&chapter=9&query=Serbia%40ref&highlight=&querytype=bool&context=0).

<sup>5144</sup> ILO Committee of Experts, Individual Direct Request C182: Serbia (2008).

<sup>5145</sup> U.S. Embassy- Belgrade, reporting, December 23, 2010.

<sup>5146</sup> Ibid.

<sup>5147</sup> Ibid.

<sup>5148</sup> U.S. Embassy- Belgrade official, e-mail communication, May 18, 2011.

<sup>5149</sup> U.S. Embassy- Belgrade, reporting, February 17, 2011.

<sup>5150</sup> ILO Committee of Experts, Individual Direct Request C182: Serbia (2008).

<sup>5151</sup> U.S. Embassy- Belgrade, reporting, February 17, 2011.

<sup>5152</sup> Ibid.

<sup>5153</sup> Ibid.

<sup>5154</sup> Government of Serbia, Republic of Serbia: National Progress Report on the Objectives of the Special Session of UN General Assembly on Children (2002), December 17, 2007; available from [http://www.unicef.org/worldfitforchildren/index\\_41713.html](http://www.unicef.org/worldfitforchildren/index_41713.html).

<sup>5155</sup> Ibid.

<sup>5156</sup> Ibid. See also Government of Serbia, Second Progress Report on the Implementation of the Poverty Reduction Strategy in Serbia, August 2007; available from [http://www.prsp.gov.rs/download/Second\\_Progress\\_Report\\_on\\_the\\_Implementation\\_of\\_the\\_Poverty\\_Reduction\\_Strategy\\_in\\_Serbia\\_2\\_8\\_2007.pdf](http://www.prsp.gov.rs/download/Second_Progress_Report_on_the_Implementation_of_the_Poverty_Reduction_Strategy_in_Serbia_2_8_2007.pdf).

<sup>5157</sup> U.S. Embassy- Belgrade official, e-mail communication, May 18, 2011.

<sup>5158</sup> United Nations Global Initiative to Fight Human Trafficking: Serbia, UN GIFT Serbia programme launched, September 16, 2010; available from <http://www.ungiftserbia.org/?p=182>.

<sup>5159</sup> ILO Committee of Experts, Individual Direct Request C182: Serbia (2008).

<sup>5160</sup> World Bank, Serbia: Doing More with Less; Addressing the Fiscal Crisis by Increasing Public Sector Productivity, June 16, 2009; available from <http://serbiamdtf.org/Resources/Doing%20More%20with%20Less%20-%20Addressing%20the%20Fiscal%20Crisis%20by%20Increasing%20Public%20Sector%20Productivity%20%28June%202009%29.pdf>.

<sup>5161</sup> ILO Committee of Experts, Individual Direct Request C182: Serbia (2008).

<sup>5162</sup> Ibid.

<sup>5163</sup> U.S. Embassy- Belgrade, reporting, February 17, 2011.

<sup>5164</sup> U.S. Department of State, "Trafficking in Persons Report- 2010: Serbia."