

Serbia

The Government of Serbia has a legal and policy infrastructure to combat trafficking. However, the use of street children—notably ethnic Roma—in forced and organized begging remains a serious problem. The worst forms of child labor are particularly prevalent in the informal sector, and the Government of Serbia needs to increase its efforts in monitoring and evaluating the impact that its policies and programs have on children in 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 are exploited in the worst forms of child labor,⁴⁴¹⁷ many of them in begging. Roma children, poor children, and children living in foster homes are the most vulnerable to the worst forms of child labor.⁴⁴¹⁸

Roma children begging and selling narcotics are among children working in the streets. Street children often sell small goods and wash car windows.⁴⁴¹⁹ Children working on the streets are exposed to a variety of dangers, which may include severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements.

Children engage in prostitution. Serbia is also a destination, transit, and source country for the trafficking of children for the purposes of sexual and labor exploitation. Many children are trafficked from Eastern Europe and Central Asia to Western European countries.⁴⁴²⁰

To a lesser extent, children work on farms.⁴⁴²¹ Children's work in agriculture commonly involves the use of potentially dangerous machinery and tools,

carrying of heavy loads, and the application of harmful pesticides.

Laws and Regulations on the Worst Forms of Child Labor

The Constitution prohibits work for children under 15. There is also a provision that prohibits hazardous work for children under 18;⁴⁴²² however, the provision does not provide a specific list of hazardous activities or occupations.






The Constitution bans slavery or positions similar to slavery, including express prohibitions on human trafficking and forced labor.⁴⁴²³ The Criminal Code of Serbia further prohibits child prostitution, trafficking and enslavement of children.⁴⁴²⁴ The Law on the Protection Program for Participants in Criminal Proceedings of 2006 regulates the protection and assistance to victims of human trafficking, including children.⁴⁴²⁵

During the reporting period, the Criminal Code was amended to provide for tougher sentences for traffickers.⁴⁴²⁶ It has been reported that Serbia also amended legislation to include punishment for producing, showing, obtaining, and possession

of pornographic materials involving minors. This includes any use of computer networks for sex crimes against minors.⁴⁴²⁷

The Law on Foreigners was amended to allow victims of human trafficking to obtain temporary visas.⁴⁴²⁸

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

	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	14
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

Although the Government of Serbia has established the Agency for Coordination and Protection of Trafficking Victims, research found no evidence of a coordinating mechanism to combat other worst forms of child labor.⁴⁴²⁹

The Labor Inspectorate within the Ministry of Labor and Social Policy is responsible for the enforcement of child labor and other labor laws. It employs 300 labor inspectors to enforce all labor issues, including child labor.⁴⁴³⁰

Data on inspections conducted could not be obtained. However, in 2009 the Inspectorate recorded 10 child

labor law violations, some of which were reported in the construction industry.⁴⁴³¹ Other sources report cases of children working night shifts, which is generally prohibited by law. In one instance, an underage worker between 15 and 18 years of age was injured and later died.⁴⁴³² Charges were pressed in all known instances of labor law violations,⁴⁴³³ but it is not known whether penalties were assessed.

The Ministry of Internal Affairs leads in the enforcement of anti-trafficking laws. Every local police station has an anti-trafficking unit.⁴⁴³⁴ Furthermore, both state and border police have full-time units.⁴⁴³⁵ 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.⁴⁴³⁶ Training is provided to a variety of government officials on how to recognize, investigate, and prosecute trafficking, and how to provide victims assistance.⁴⁴³⁷

For 2009, the Government of Serbia reported more than 50 investigations into trafficking offenses. These efforts resulted in the conviction of 40 out of 42 alleged offenders.⁴⁴³⁸ There were 127 recorded trafficking victims, of which 59 were minors.⁴⁴³⁹ Of the total 127 victims, 112 are known to have been referred to service providers by the Agency for the Coordination and Protection of Trafficking Victims.⁴⁴⁴⁰

Government Policies on the Worst Forms of Child Labor

A National Plan of Action for Children (NPA) was adopted in 2004. It seeks poverty reduction, quality education, and better health for all children, and protection of children from abuse, exploitation, and violence.⁴⁴⁴¹ The NPA has not been allocated resources by the Central Government. Some communities have used it as a framework to create mechanisms to protect children, and funding has been provided in some municipal budgets.⁴⁴⁴²

The Government of Serbia has been implementing a poverty reduction strategy with the ambitious goal of reducing half of the poverty in Serbia by the end of 2010 through targeting the poorest and most vulnerable social groups for financial assistance and protection.⁴⁴⁴³

The Government has also implemented policies that focus on social protection for Roma children, including the 2005-2015 Roma Decade Framework, which focuses on social protection for Roma children.⁴⁴⁴⁴

The Youth Employment Policy and Action Plan for 2009-2011, a result of the 2007-2011 Youth Employment Partnership (YEP) project, seeks to help youth obtain productive employment.⁴⁴⁴⁵

The question of whether the above policies have an impact on the worst forms of child labor does not appear to have been addressed.

In April 2009, the Government of Serbia adopted a National Action Plan to Combat Trafficking for 2009-2011. The Government is also implementing a Strategy for Fighting Human Trafficking from 2006 that seeks specifically to protect victims of child trafficking.⁴⁴⁴⁶

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

The Child Allowance Program provides cash benefits to poor families conditional on school enrollment for children age 7 and older.⁴⁴⁴⁷

Through the 2007-2011 Youth Employment Partnerships (YEP) project, the Government of Serbia finances the National Employment Service (NES), which implements, monitors, and evaluates active labor

market programs targeting unemployed youth who are registered with offices in Subotica, Bor, Kraljevo, Novi Pazar, and Pozarevac.⁴⁴⁴⁸

The Ministry of Education project, “Assistance to Roma Children in Education,” seeks to encourage regular attendance of Roma children at school by focusing on and developing language and learning skills.⁴⁴⁴⁹

The question of whether any of the programs have an impact on the worst forms of child labor does not appear to have been addressed.

All social service centers in the country are required to provide 24-hour access for child victims of trafficking.⁴⁴⁵⁰ 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.⁴⁴⁵¹

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 has continued to use monies earned from the sale of these stamps to finance its own activities and NGOs that provide services to human trafficking victims.⁴⁴⁵² There are hotlines devoted to human trafficking; one run by the Ministry of Internal Affairs, the other by the NGO Astra.⁴⁴⁵³

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:

- Amend the legal framework specifying the types of hazardous work prohibited for children under the age of 18.
- 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.

IN THE AREA OF POLICIES:

- Assess the impact that existing policies may have on addressing the worst forms of child labor.

IN THE AREA OF PROGRAMS:

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

⁴⁴¹⁷ 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*, 2005-2010. Data on working children and children combining working and schooling are from 2005. Data on school attendance are from 2006. 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.

⁴⁴¹⁸ U.S. Embassy- Belgrade, *reporting*, February **XX**, 2010.

⁴⁴¹⁹ ILO Committee of Experts, *Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Serbia (ratification: 2003)*, [online] 2008 [cited March 1, 2010]; 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 **XX**, 2010.

⁴⁴²⁰ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴²¹ *Ibid.* See also U.S. Embassy- Belgrade, *reporting*, February 22, 2010.

⁴⁴²² 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).

⁴⁴²³ *Ibid.*

⁴⁴²⁴ Government of Serbia, *Criminal Code*, (February 28, 2006); available from http://www.osce.org/documents/html/pdftohtml/18196_en.pdf.html.

⁴⁴²⁵ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴²⁶ U.S. Embassy- Belgrade, *reporting*, February, 2010.

⁴⁴²⁷ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴²⁸ U.S. Embassy- Belgrade, *reporting*, February **XX**, 2010.

⁴⁴²⁹ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴³⁰ U.S. Embassy- Belgrade, *reporting*, February **XX**, 2010.

⁴⁴³¹ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴³² *Ibid.*].

⁴⁴³³ *Ibid.*].

⁴⁴³⁴ U.S. Embassy- Belgrade, *reporting*, February 22, 2010.

⁴⁴³⁵ *Ibid.*

⁴⁴³⁶ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴³⁷ U.S. Embassy- Belgrade, *reporting*, February 22, 2010.

⁴⁴³⁸ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴³⁹ *Ibid.*]. See also U.S. Embassy- Belgrade, *reporting*, February **XX**, 2010.

⁴⁴⁴⁰ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴⁴¹ *Ibid.*].

⁴⁴⁴² *Ibid.*].

⁴⁴⁴³ *Ibid.*].

⁴⁴⁴⁴ *Ibid.*].

⁴⁴⁴⁵ *Ibid.*].

⁴⁴⁴⁶ *Ibid.*].

⁴⁴⁴⁷ *Ibid.*].

⁴⁴⁴⁸ *Ibid.*].

⁴⁴⁴⁹ *Ibid.*].

⁴⁴⁵⁰ *Ibid.*].

⁴⁴⁵¹ U.S. Embassy- Belgrade, *reporting*, February 22, 2010.

⁴⁴⁵² U.S. Department of State, "Serbia (Tier 2)," in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/143188.pdf>.

⁴⁴⁵³ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

Seychelles

There is no evidence of the worst forms of child labor in the country. Notwithstanding the absence of a demonstrated problem, the National Statistics Bureau began training officers in 2009 to help establish official statistics and documentation on human trafficking. Legal provisions protect girls better than boys, and children working in international trade zones less than in other areas.

Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

There is no evidence of the worst forms of child labor in the country.⁴⁴⁵⁴ Notwithstanding the absence of a demonstrated problem, the National Statistics Bureau began training officers in 2009 to help establish official statistics and documentation on human trafficking.⁴⁴⁵⁵

Laws and Regulations on the Worst Forms of Child Labor

The Constitution of the Republic of Seychelles sets the minimum age for work at 15 and provides for a higher minimum age for employment deemed dangerous, unhealthy, or otherwise harmful to normal childhood development.⁴⁴⁵⁶ The Conditions of Employment Regulations, 1991 specify that children under age 18 are prohibited from engaging in certain types of employment and night work, though children ages 15 to 17 may do so with the approval of a Competent Officer.⁴⁴⁵⁷ The Government has not developed a comprehensive list of hazardous work prohibited to children under age 18.⁴⁴⁵⁸

The International Trade Zone (Conditions of Employment) Order 17 governs employment conditions in international trade zones. It too prohibits

the employment of children younger than age 15.⁴⁴⁵⁹ It does not contain any provision prohibiting children from engaging in hazardous work.

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

The *Constitution* provides for freedom from slavery, servitude, and forced or obligatory labor.⁴⁴⁶⁰ The Penal

Code Act criminalizes the prostitution and sexual exploitation of children.⁴⁴⁶¹ Specific provisions prohibit the trafficking of girls, domestically or internationally, for the purposes of prostitution and make it illegal to procure or detain any girl against her will, with the intent to engage in sexual conduct or for the purposes of prostitution. These provisions do not cover boys.⁴⁴⁶² Other provisions prohibit anyone from benefiting from the procurement or exploitation of any person for the purposes of prostitution and make it illegal to recruit or exploit persons under age 21 for the same purposes.⁴⁴⁶³ The Penal Code also prohibits the production or possession of indecent material of a child, or exhibition of indecent material to a child.⁴⁴⁶⁴

Institutional Mechanisms for Coordination and Enforcement

As there is no evidence of a problem, there appears to be no need for a coordinating mechanism to address the worst forms of child labor. The National Council for Children, a government-funded NGO, advocates for children's interests and rights through awareness-raising activities and by providing training and counseling.⁴⁴⁶⁵

The Ministry of Employment and Human Resource Development is the primary agency responsible for investigating and enforcing child labor laws. During the reporting period, the Ministry reported no cases of child labor that required investigation, nor were any children found working in key sectors.⁴⁴⁶⁶

Government Policies on the Worst Forms of Child Labor

As there is no evidence of a problem, there appears to be no need for policies to address the worst forms of child labor. It is noted, however, that the Government has or is developing other social policies that may help prevent this phenomenon. The Government is implementing a National Plan of Action on Social Development for Seychelles 2005-2015, which strives, in part, to prevent the exploitation of children by providing education on children's rights and improving the quality of child protection services.⁴⁴⁶⁷ During the reporting period, the Seychellois National Assembly approved the establishment of a Social Welfare Task Force, which will consider policies to address social issues.⁴⁴⁶⁸

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

As there is no evidence of a problem, there appears to be no need for programs to address the worst forms of child labor. The Government has implemented some programs to protect children from exploitation and provide them with social services. The Government works to fund child welfare initiatives including the Children's Homes Foundation, which provides housing for orphans and children from families facing financial difficulties, and the Children's Fund, which targets children most in need.⁴⁴⁶⁹ The Government also provides subsidized bus fares for needy students.⁴⁴⁷⁰

Based on the reporting above, the following actions would advance the prevention of the worst forms of child labor in Seychelles:

IN THE AREA OF LAWS AND REGULATIONS

- Develop a comprehensive list of hazardous employment prohibited to all children under age 18.
- Amend International Trade Zone (Conditions of Employment) Order 17 to ensure that child labor laws are consistent with other national laws on the employment of children.
- Amend the *Penal Code* to prohibit the trafficking of boys, and the procuring or detainment of boys, for the purposes of prostitution.

IN THE AREA OF POLICY:

- Consider expanding the work of the National Statistics Bureau to collect data on all worst forms of child labor.

⁴⁴⁵⁴ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. 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. For more information on sources used for these statistics, 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.

⁴⁴⁵⁵ U.S. Embassy- Port Louis, *reporting*, February 18, 2010.

⁴⁴⁵⁶ Government of Seychelles, *Constitution of the Republic of Seychelles*, (June 18, 1993), article 31; available from <http://www.cmseducation.org/wconsts/seychelles.html>.

⁴⁴⁵⁷ Government of Seychelles, *Conditions of Employment Regulations, 1991*, SI. 34 of 1991, articles 21 and 22; available from <http://www.employment.gov.sc/Documents/Employment%20Act%20Reg-Electronic.pdf>.

⁴⁴⁵⁸ ILO Committee of Experts, *Direct Request concerning Minimum Age Convention, 1973 (No. 138) Seychelles (ratification: 2000)*, [online] 2010 [cited July 23, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=24839&chapter=9&query=Seychelles%40ref&highlight=&querytype=bool&context=0>. See also ILO Committee of Experts, *Direct Request concerning the Worst Forms of Child Labor Convention, 1999 (No. 182) Seychelles (ratification: 1999)*, [online] 2010 [cited July 23, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=25342&chapter=9&query=Seychelles%40ref&highlight=&querytype=bool&context=0>.

⁴⁴⁵⁹ Government of Seychelles, *International Trade Zone (Conditions of Employment) Order, 1997*, SI. 13 of 1997, (February 10), article 17; available from http://www.siba.net/index.php?s=file_download&id=36.

⁴⁴⁶⁰ Government of Seychelles, *Constitution*, article 17.

⁴⁴⁶¹ Government of Seychelles, “Seychelles,” in *Legislation of Interpol Member States on Sexual Offences against Children*, 2006; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaSeychelles.pdf>.

⁴⁴⁶² Ibid.

⁴⁴⁶³ Ibid.

⁴⁴⁶⁴ Ibid.

⁴⁴⁶⁵ U.S. Embassy- Port Louis, *reporting*, February 18, 2010. See also National Council for Children, *Services*, [online] [cited November 10, 2010]; available from <http://www.ncc.sc/p/services>.

⁴⁴⁶⁶ U.S. Department of State, “Seychelles,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 7; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135974.htm>.

⁴⁴⁶⁷ Government of Seychelles, *National Plan of Action on Social Development, 2005-2015*, Social Development Division, Ministry of Health and Social Services, 2006, 49, 50; available from <http://un.intnet.mu/undp/downloads/seychelles/NPASD.doc>.

⁴⁴⁶⁸ Office of the President of the Republic of Seychelles, *The State House Newsletter*, 1, 2010; available from http://www.statehouse.gov.sc/index.php?option=com_filecabinet&view=files&id=9&Itemid=74.

⁴⁴⁶⁹ U.S. Embassy- Port Louis, *reporting*, March 25, 2010. See also Children’s Homes Foundation, *What We Do*, [online] March 17, 2008 [cited November 11, 2010]; available from <http://www.childhomesfoundation.org.sc/pages/Homes.aspx>. See also Seychelles NATION, *President Extends Special Fund for School Children*, [online] January 18, 2010 [cited August 3, 2010]; available from <http://www.nation.sc/imprimer.php?art=18283>.

⁴⁴⁷⁰ U.S. Embassy- Port Louis, *reporting*, March 25, 2010.