

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,⁴⁴²⁶ 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.⁴⁴²⁷

Roma children begging and selling narcotics are among children working in the streets. Street children often sell small goods and wash car windows.⁴⁴²⁸ 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.⁴⁴²⁹

To a lesser extent, children work on farms.⁴⁴³⁰ 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;⁴⁴³¹ 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.⁴⁴³² The Criminal Code of Serbia further prohibits child prostitution, trafficking and enslavement of children.⁴⁴³³ 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.⁴⁴³⁴

During the reporting period, the Criminal Code was amended to provide for tougher sentences for traffickers.⁴⁴³⁵ 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.⁴⁴³⁶

The Law on Foreigners was amended to allow victims of human trafficking to obtain temporary visas.⁴⁴³⁷

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.⁴⁴³⁸

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.⁴⁴³⁹

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.⁴⁴⁴⁰ 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.⁴⁴⁴¹ Charges were pressed in all known instances of labor law violations,⁴⁴⁴² 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.⁴⁴⁴³ Furthermore, both state and border police have full-time units.⁴⁴⁴⁴ 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.⁴⁴⁴⁵ Training is provided to a variety of government officials on how to recognize, investigate, and prosecute trafficking, and how to provide victims assistance.⁴⁴⁴⁶

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.⁴⁴⁴⁷ There were 127 recorded trafficking victims, of which 59 were minors.⁴⁴⁴⁸ 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.⁴⁴⁴⁹

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.⁴⁴⁵⁰ 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.⁴⁴⁵¹

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.⁴⁴⁵²

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.⁴⁴⁵³

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.⁴⁴⁵⁴

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.⁴⁴⁵⁵

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.⁴⁴⁵⁶

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.⁴⁴⁵⁷

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.⁴⁴⁵⁸

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.⁴⁴⁵⁹ 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.⁴⁴⁶⁰

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.⁴⁴⁶¹ There are hotlines devoted to human trafficking; one run by the Ministry of Internal Affairs, the other by the NGO Astra.⁴⁴⁶²

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.

⁴⁴²⁶ 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.

⁴⁴²⁷ U.S. Embassy- Belgrade, *reporting*, February 9, 2010.

⁴⁴²⁸ 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.

⁴⁴²⁹ *Serbia (2008)*.

⁴⁴³⁰ *Ibid.* See also U.S. Embassy- Belgrade, *reporting*, February 22, 2010.

⁴⁴³¹ 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).

⁴⁴³² *Ibid.*

⁴⁴³³ Government of Serbia, *Criminal Code*, (February 28, 2006); available from http://www.osce.org/documents/html/pdftohtml/18196_en.pdf.html.

⁴⁴³⁴ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴³⁵ U.S. Embassy- Belgrade, *reporting*, February, 2010.

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

⁴⁴³⁷ U.S. Embassy- Belgrade, *reporting*, February 9, 2010.

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

⁴⁴³⁹ U.S. Embassy- Belgrade, *reporting*, February 9, 2010.

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

⁴⁴⁴¹ *Ibid.*].

⁴⁴⁴² *Ibid.*].

⁴⁴⁴³ U.S. Embassy- Belgrade, *reporting*, February 22, 2010.

⁴⁴⁴⁴ *Ibid.*

⁴⁴⁴⁵ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴⁴⁶ U.S. Embassy- Belgrade, *reporting*, February 22, 2010.

⁴⁴⁴⁷ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁴⁴⁴⁸ *Ibid.*]. See also U.S. Embassy- Belgrade, *reporting*, February 9, 2010.

⁴⁴⁴⁹ ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.

⁵⁴⁵⁰ *Ibid.*].

⁴⁴⁵¹ *Ibid.*].

⁴⁴⁵² *Ibid.*].

⁴⁴⁵³ *Ibid.*].

⁴⁴⁵⁴ *Ibid.*].

⁴⁴⁵⁵ *Ibid.*].

⁴⁴⁵⁶ *Ibid.*].

⁴⁴⁵⁷ *Ibid.*].

⁴⁴⁵⁸ *Ibid.*].

⁴⁴⁵⁹ *Ibid.*].

⁴⁴⁶⁰ U.S. Embassy- Belgrade, *reporting*, February 22, 2010.

⁴⁴⁶¹ 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>.

⁴⁴⁶² ILO Committee of Experts, *Direct Request C182: Serbia (2008)*.