

In 2011, Serbia made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government secured yearly funding for the care of foreign and domestic trafficking victims and passed social welfare legislation that defines trafficking victims as a separate category of beneficiaries. However, Serbia's laws fail to fully protect children 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 Criminal Code only provides punishment for producing pornographic materials with, and showing pornographic materials to, children under age 14 rather than under age 18. There is also a lack of specialized shelters for child victims of human trafficking and a number of expired and unfunded child protection policies. Children in Serbia, particularly Roma children, continue to engage in the worst forms of child labor, including forced begging and working on the street.

Statistics on Working Children and Education

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
Primary Completion Rate		96.4

Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from MIC3 Survey, 2005.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Serbia engage in the worst forms of child labor as a result of being trafficked for organized begging, sexual exploitation and work in the informal sector.(3-6) Although the extent of the problem is unknown, the most vulnerable children include those from impoverished rural communities, children in foster care and Roma children.(6)

Children are engaged in farming to a lesser extent, although evidence for this is limited.(7) 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.(8)



Laws and Regulations on the Worst Forms of Child Labor

The Constitution sets the minimum age for work at 15, and for hazardous work at 18.(9) Article 60 of the Constitution also includes a provision for special protections at work and special work conditions for young persons. The Constitution calls for the protection of a child from psychological, physical and economic harm, and from any other form of abuse or exploitation.(9) However, there are no legal provisions that outline a specific list of activities or occupations that are hazardous and prohibited to children.

Article 26 of the Constitution bans slavery or situations similar to slavery, including human trafficking and forced labor.(9) The Criminal Code of Serbia prohibits child prostitution, trafficking, and enslavement of children.(10) 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.(6)

The Criminal Code provides sentences of at least 5 years in prison for individuals found guilty of trafficking minors.(5) The Law on Foreigners allows victims of human trafficking to obtain temporary visas.(8)

	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

There is legislation that stipulates punishment for producing or showing pornographic materials involving children under age 14. This includes the use of computer networks for sex crimes against children.(10) This provision leaves children ages 14 to 18 unprotected from exploitation through pornography.

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.

The Law on Military, Labor and Material Duty stipulates that individuals under age 18 will not be sent to compulsory military service.(11)

Article 71 of the Constitution specifies that primary education is free and compulsory until the approximate age of 15.(9)

Institutional Mechanisms for Coordination and Enforcement

The National Coordinator for Combating Trafficking in Persons leads a team to address trafficking, which consists of representatives of multiple ministries, the Council for Children's Rights, the Agency for Coordination of Protection of Trafficking Victims, the Supreme Court, NGOs and some international organizations.(5) However, the National Coordinator position is not funded as a full-time position. It is unknown whether this affects the Government's ability to adequately coordinate trafficking activities.(5) Research also found no evidence of a coordinating mechanism to combat other worst forms of child labor.

The Ministries of Labor and Social Issues, Internal Affairs, Justice and Education are responsible for child labor issues.(12) In 2011, the Serbian Labor Inspectorate employed 261 Labor Inspectors. These inspectors lacked necessary equipment, such as computers and vehicles, to facilitate proper coverage of rural areas.(13) In 2011, the Labor Inspectors recorded no official reports or complaints of child labor in the formal economy.(3) There was no evidence that identified data on the number of inspections conducted.

The Ministry of Interior and the State Prosecutor's Office enforce laws against commercial sexual exploitation.(13) Every local police station has an anti-trafficking unit that may include cross-sectional teams of police, prosecutors, social workers and health workers. The state and border police have full-time anti-trafficking units.(14) Additionally, the Service for Fighting Organized Crime has an anti-trafficking department and works with regional police administrations to share information regarding instances of child trafficking.(6) 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.(5)

The Agency for the Coordination of the Protection of Trafficking Victims that has been based in the Ministry for Labor and Social Policy was supposed to act as an independent agency in 2012, as mandated in the social welfare law that was passed in March, 2011.(5) More current information is not available. During the reporting period, the Agency identified and rescued 20 child victims and potential victims of trafficking. Seven children were trafficked for sexual exploitation. Five children were identified and rescued from trafficking that involved begging, and one child was identified and rescued from a forced marriage, which due to its involuntary nature and the involvement of a third party, was considered to be trafficking, according to government authorities.(3)

Government Policies on the Worst Forms of Child Labor

The Government implemented policies that focus on social protection for Roma children, including the 2005-2015 Roma Decade Framework.(13) However, government authorities continued to forcibly evict Roma families from their homes or settlements for redevelopment projects, without providing alternative housing, leaving some Roma families homeless.(15, 16)

The Government's National Plan of Action for Children (NPA) was adopted in 2004 with the aim to reduce poverty, protect

children from abuse, exploitation and violence, and to ensure quality education and better healthcare for all children.(17) The Government, however, has not allocated any resources to the NPA since its inception. Nevertheless, some municipalities have allocated funds to create mechanisms to protect children that use the NPA as a framework.(17)

In 2010, the Ministry of Internal Affairs helped launch a program for Serbia through the United Nations Global Initiative to Fight Human Trafficking. Through this initiative, the Government worked to implement the National Action Plan to Combat Trafficking for 2009-2011.(18) During the reporting period, three additional initiatives against human trafficking have been ongoing: prosecutorial-judicial work with trafficking victims; production of a judicial curriculum on anti-trafficking measures; and efforts related to make a standalone trafficking protection agency (The Agency for the Coordination of the Protection of Trafficking Victims). Related to these initiatives, the Ministry of Justice drafted the “Special Protocol on the Treatment of Trafficking Victims by Judicial Authorities,” with the aim to provide judicial officials clear guidance to facilitate adequate treatment of trafficking victims, including the most vulnerable groups. During the reporting period, some NGOs observed that due to some judges’ unfamiliarity with trafficking, victims were detained, jailed and prosecuted for acts committed as a direct result of their being trafficked.(4) Reportedly, this initiative is still being processed due to its recent drafting.(5)

A strategic document entitled “General Protocol on Child Protection from Abuse and Neglect that was adopted under the National Plan of Action for Children of 2005 defines the general policy for children for the period until 2015.(19) Two additional protocols were also in place that focused on child protection against commercial sexual exploitation; 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. There is a lack of information of the impact these initiatives would have on reducing the number of children subjected to sexual exploitation.(19)

In March 2011, the Government passed social welfare legislation that defines trafficking victims as a new category of beneficiaries.(5)

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

The Government continued implementing the Child Allowance Program, which provides cash benefits to poor families conditional on school enrollment for children age 7 or older.(20) However, the amount of social spending on poor families appears to be low with spending representing 0.3 percent of the GDP.(20, 21) Undocumented families, particularly Roma families, are deprived of social benefits that are only granted to citizens.(7) A Ministry of Education project, Assistance to Roma Children in Education, seeks to encourage regular attendance of Roma children in school and provide training to help them learn the Serbian language to better integrate into the school environment.(6) Research found no information assessing the impact these education programs have on the worst forms of child labor.

The Government co-financed the production of a Serbian film to raise awareness on the experiences of Serbian trafficking victims with the purpose of educating the country’s youth, who are vulnerable to exploitation.(4) The National Coordinator’s Office continued to maintain an anti-trafficking website, and together with the Ministry of Interior it publicizes Serbia’s anti-trafficking hotline.(5)

In addition, the Government provides free access to social and medical care for foreign and domestic trafficking victims, and provides them with witness and victim protection services.(5, 14)

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 money earned from the sale of these stamps to finance the activities of NGOs that provide services to human trafficking victims. Those funds were finally exhausted in 2011.(5)

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

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Enact a list of hazardous activities and occupations prohibited to children.	2009, 2010, 2011
	Amend the Criminal Code to specifically prohibit the use, procuring, or offering of a minor under age 18 for the production and trafficking of drugs and other illicit activities.	2009, 2010, 2011
	Amend the Criminal Code that stipulates punishment for producing or showing pornographic materials involving children under age 14, to include all children under age 18.	2011
Coordination and Enforcement	Assess whether the part-time position of National Coordinator for Combating Trafficking in Persons is sufficient to effectively coordinate efforts across the Government.	2011
	Establish a coordinating mechanism to combat all worst forms of child labor.	2009, 2010, 2011
	Provide inspectors with the necessary tools and equipment to conduct thorough investigations for monitoring labor law violations, especially in rural areas.	2010, 2011
	Make labor inspection data publicly available.	2011
Policies	Implement commitments of the Roma Decade Framework by providing basic needs such as adequate housing for Roma families that face evictions.	2011
	Assess whether policies that have lapsed or gone unfunded, such as the NPA, should be re-initiated and how they might target children in the worst forms of child labor.	2009, 2011
	Support and provide continuous and dedicated funding for shelters for child victims of human trafficking.	2011
	Assess the impact the government policies had toward youth and children commercial sexual exploitation under the National Plan of Action for Children since 2005.	2011
Social Programs	Develop methods of educating and guiding eligible families in need about the requirements for proper registration and documentation in order to receive social assistance and take steps to protect all children, including undocumented children, from exploitation.	2011
	Conduct research on the impact that existing education programs may have on addressing the worst forms of child labor, especially for Roma children.	2010, 2011

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