

In 2019, Serbia made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government implemented the Law on Simplified Hiring of Seasonal Labor in Certain Economic Areas to regulate seasonal work, including in agriculture where child labor occurs. The City of Belgrade also opened a shelter to provide services to street children. In addition, the government identified 21 child trafficking victims and 32 child labor violations. However, children in Serbia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. Serbia's laws do not treat forced child beggars as victims of child labor and the country's social welfare centers are overburdened, which limits efforts to provide services to victims of child labor. In addition, investigations and prosecutions of child labor crimes significantly decreased in 2019 compared with 2018.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Serbia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. (4,5) Table 1 provides key indicators on children's work and education in Serbia. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	15.1 (Unavailable)
Attending School (%)	5 to 14	94.7
Combining Work and School (%)	7 to 14	17.4
Primary Completion Rate (%)		98.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (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	Farming, activities unknown (5)
	Forestry, activities unknown (8)
	Fishing, activities unknown (8)
Industry	Manufacturing, activities unknown (9)
	Construction, activities unknown (10)
Services	Street work, including washing cars, collecting scrap material, vending, and begging (1,5,9,11,12)
	Wholesale and retail trade (8-11)
	Working in food service, information and communication, and transportation and storage (5,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking(4,5,9,10,13)
	Forced begging, sometimes as a result of human trafficking (4,5,9,10,13,14)
	Use in the production of pornography, sometimes as a result of human trafficking (5,10,12)
	Domestic work, sometimes as a result of human trafficking (15,16)
	Use in illicit activities, including in petty crime (4,9,12-14,17)

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

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Children from Serbia, particularly those from Roma communities, are victims of domestic human trafficking to engage in the worst forms of child labor, including commercial sexual exploitation. (4,9,13,14) Girls, Roma children, and children from low-income families in rural communities are most vulnerable to child labor, including trafficking in persons. (1,18)

Undocumented migrants are at a significantly higher risk of human trafficking for the purposes of labor or sexual exploitation. (52) In 2019, UNHCR encountered 30,216 migrants arriving in Serbia, many of whom were unaccompanied children. (19) Asylum seekers and grantees are allowed to access free primary and secondary education in Serbia. (1,20) In addition, Serbia has social programs to assist migrant children with access to education. (15,20-22)

Some Roma, Ashkali, and Balkan Egyptian children experience challenges in obtaining birth registration, which may make school enrollment difficult and increases their vulnerability to engage in child labor. (9,23-28) Although the government has a program to increase the attendance of Roma children in preschool, and the law allows children to enroll in school without identity documents, economic hardship, ethnic discrimination, language barriers, disabilities, and placement in non-mainstream schools sometimes discourage Romani children, especially girls, from attending school. (9,23-30) In addition, Roma children are more likely to begin school at a later age and drop out of school more frequently than their non-Roma peers. (9,24)




Constitutional and legal protections prohibit discrimination against individuals with disabilities in the education system. (23,31,32) However, some individuals with disabilities, especially Roma children, face difficulties in accessing education due to social prejudices. (23,27,28,33,34)

Reports indicate some children are being recruited to participate in non-state-affiliated military training camps at which they learn how to use weapons and other basic paramilitary skills. (35-38) In 2019, pictures surfaced online indicating that the camps were still in operation despite a local government announcement that they were disbanded. (36)

II. LEGAL FRAMEWORK FOR 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 laws and regulations related to child labor (Table 4). However, gaps exist in Serbia's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 24 of the Labor Law; Article 66 of the Constitution (31,39)
Minimum Age for Hazardous Work	Yes	18	Article 25 of the Labor Law; Article 66 of the Constitution (31,39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 25, 84, and 87–88 of the Labor Law; Regulation on Hazardous Labor of Children (39,40)
Prohibition of Forced Labor	Yes		Article 390 of the Criminal Code; Article 26 of the Constitution (31,41)
Prohibition of Child Trafficking	Yes		Article 388 of the Criminal Code; Article 26 of the Constitution (31,41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 112 and 183–185 of the Criminal Code (41)
Prohibition of Using Children in Illicit Activities	No		Article 388 of the Criminal Code (41)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 39 of the Law on the Army (42)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 4 of the Law on Military, Labor, and Material Obligation (43)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 4 of the Law on the Ratification of the Optional Protocol Involvement of Children in Armed Conflict (44)
Compulsory Education Age	Yes	15‡	Article 71 of the Constitution; Articles 94 and 98 of the Law on the Foundations of the Education System (31,45)
Free Public Education	Yes		Article 71 of the Constitution; Article 91 of the Law on the Foundations of the Education System (31,45)

* No conscription (43)

‡ Age calculated based on available information (31,44)

In January 2019, Parliament implemented the new Law on Simplified Hiring of Seasonal Labor in Certain Economic Areas. (5,9,46) The Law regulates seasonal work, including in agriculture, and specifies that a work contract be required to employ minors. (46) In addition, the Department for Family Care has continued drafting the Law on Children’s Rights and Child Ombudsman that would create an Ombudsman for Children’s Rights, establish a new agency to oversee the protection of children’s rights in government agencies, and would increase other protections for children. (5,9,47)

Serbia’s law does not treat child beggars as victims, but rather as perpetrators and offenders. (5,48,76) In addition, Serbian law does not criminally prohibit use of a child in illicit activities except when it results from human trafficking. (41)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor, Employment, Veteran, and Social Affairs (MOLEVSA) that may hinder adequate enforcement of child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, Veteran, and Social Affairs (MOLEVSA)	Through the Labor Inspectorate, inspects businesses, including unregistered businesses. Per mandate established by the Special Protocol of Labor Inspection for Protecting Children Against Child Labor, receives and investigates child labor complaints and informs Centers for Social Work of child labor violations. (5,9,49) Has internal sub-units that focus on the protection of children with disabilities and children working on the street. (5) Through the Center for Human Trafficking Victims' Protection (CPTV), MOLEVSA identifies victims of child trafficking and those at risk, conducts needs assessments, contributes to trafficking research projects, and refers victims to social services. (17) CPTV is divided into two parts: the Agency for Coordination of Protection of Trafficking Victims and the new Urgent Reception Center, which opened in early 2019. (13,16,23) In addition, CPTV works with state institutions, international organizations, and NGOs on human trafficking prevention and protection efforts and activities. (23) In 2019, CPTV identified 29 victims of human trafficking, 21 of whom were minors. (5)
Ministry of the Interior (MOI)	Oversees the General Police Directorate and enforces laws prohibiting commercial sexual exploitation and human trafficking through the Criminal Police Department. (14,17,50) Informs the Centers for Social Work of any child labor violations found. (5,16) In 2019, MOI completed the transfer of jurisdiction of human trafficking law enforcement from the Border Police Department to the Criminal Police Department. (5) The move was done to improve human trafficking investigation techniques. (13,23)
Republic Public Prosecutor's Office	Leads investigations on human trafficking cases and exchanges information through a network of 27 local prosecutors and NGOs. Provides financial support to CPTV. (5)
Parliamentary Committee on Children	Reviews draft legislation and monitors the implementation of laws pertinent to children's rights. (5)
Deputy Ombudsman for Children's Rights, Office of the Protector of Citizens	Monitors and conducts research on the situation of children's rights in Serbia. Produces reports on child begging, promotes inclusive education and legal prohibition of corporal punishment, and manages draft laws on children's rights for parliamentary approval. (5)

Social Welfare Centers (SWCs) provide social services, track the number of street children, and receive labor violations from MOLEVSA and the Ministry of the Interior. According to the MOLEVSA, the SWCs are significantly overburdened. (5,9)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Serbia took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLEVSA that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$3,483,536 (9)	\$3,453,170 (5)
Number of Labor Inspectors	240 (9)	236 (51)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (5)
Initial Training for New Labor Inspectors	No (9)	N/A (5)
Training on New Laws Related to Child Labor	Yes (9)	Yes (5)
Refresher Courses Provided	No (9)	Yes (5)
Number of Labor Inspections Conducted	70,122† (52)	77,806 (51)
Number Conducted at Worksite	70,122† (52)	77,806 (51)
Number of Child Labor Violations Found	39 (52)	33 (51)
Number of Child Labor Violations for Which Penalties Were Imposed	15 (52)	20 (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown (5)
Routine Inspections Conducted	Yes (9)	Yes (5)
Routine Inspections Targeted	Yes (52)	Yes (5)
Unannounced Inspections Permitted	Yes (9)	Yes (5)
Unannounced Inspections Conducted	Yes (9)	Yes (5)
Complaint Mechanism Exists	Yes (9)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (5)

† Data are from January 2018 to December 2018.

Labor inspectors are responsible for inspecting registered and unregistered businesses, including businesses within the agricultural sector. (9) The Labor Inspectorate utilizes a work plan for inspections that is drafted at the beginning of each year, and targets high-risk sectors in which child labor is known to occur, such as in agriculture and construction. (9,53) In addition, the Special Protocol of Labor Inspection for Protecting Children Against Child Labor requires labor inspectors to use a checklist to identify child labor during inspections and mandates that police and labor inspectors inform Social Welfare Centers (SWCs) on cases of child labor. (9,10,54)

In 2019, the Labor Inspectorate identified 32 child labor violations, one of which involved an individual under 15 years of age. The Labor Inspectorate issued 6 decrees for a minor to stop working and filed 13 misdemeanor charges against employers. (5)

The Labor Inspectorate has designated experts on child labor at each of its branches to provide training to other inspectors. However, new labor inspectors do not receive formal training but are trained instead on-the-job by working alongside seasoned inspectors. According to the ILO, this informal training may be inadequate without also including formal training. (5)

During the reporting period, the government adopted a 2020 budget that includes authorization to hire 40 new inspectors and purchase new vehicles over the next 2 years to facilitate the level of travel necessary for conducting countrywide worksite inspections. (5)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Serbia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including financial resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (2)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	No (5)
Refresher Courses Provided	Yes (52)	No (5)
Number of Investigations	22 (9)	30 (51)
Number of Violations Found	4 (9)	26 (51)
Number of Prosecutions Initiated	21 (9)	15 (51)
Number of Convictions	19 (9)	5 (51)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	25 (9)	5 (51)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (5)

Training on identifying human trafficking is provided as a part of the general police curriculum given to law enforcement officials who process immigration cases. (52) Continuous training on identifying human trafficking is also provided to one public prosecutor in each of the 25 Higher Public Prosecutor's Offices. (5) However, sources indicated that some agencies responsible for investigation of trafficking in persons cases lack funding. (5)

The SWCs, the primary provider of social services to human trafficking victims, assist with child trafficking cases. (17)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder adequate coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Council for Children's Rights	Coordinates government efforts to address child labor by monitoring and evaluating government activities, and includes representatives from international organizations and government ministries, such as MOLEVSA. (55) In December 2019, had a meeting to finalize the strategy for combating child labor for 2020–2023. (5)
National Council for Combating Trafficking in Human Beings	Sets government policies on trafficking in persons, chaired by MOI. Drafts updated annual SOP for the Center for Human Trafficking Victims' Protection. (5) The National Coordinator for Combating Trafficking in Persons acts as the Secretary of the Council and manages the work of the implementation team. (17) In February 2019, the Council opened an Urgent Reception Center for victims of human trafficking, which accepted its first participants in June 2019. During the reporting period, the Council prepared the 2020 SOP for final review and adoption by the government. (5)
Refugee Protection Working Group	Serves as the main mechanism for coordinating non-food related services to refugees, including children, and shares information on protection of refugees. Co-chaired by UNHCR and the Commissariat for Refugees and Migration with the participation of NGOs, local governments, and international organizations. (22) The group met quarterly throughout the reporting period. (51)

The position of National Coordinator for Combating Trafficking in Persons continues to experience constraints on time and financial resources. (23)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant Roma policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap for Eliminating Abuse of Child Labor in Serbia (2018–2022)	Creates a roadmap for eliminating the worst forms of child labor. Activities focus on the prevention and elimination of child abuse, support for children working on the streets and vulnerable families, the creation of a system within Social Welfare Centers (SWCs) to monitor and record risks of child labor, and continuous development for professional workers. (56) During the reporting period, the Center for Social Protection began collecting data on child labor as recommended by the ILO per the Roadmap's framework. (5)
Action Plan for Protection of Children from Violence (2018–2022)	Provides improved prevention, protection, and support for children against violence. (57,58) Part of the Roadmap for Eliminating Abuse of Child Labor in Serbia. Includes enhanced interventions for the protection of children from violence, including organizational mechanisms. (57) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.
Strategy for Preventing and Suppressing Human Trafficking and Action Plan (2017–2022)	Creates a legislative framework, budget, benchmarks, and strategic areas in need of improvement to combat trafficking in persons. (10,59) In 2019, in keeping with the strategy, MOI's Criminal Police assumed complete investigative authority for human trafficking cases from the Border Police. The National Trafficking Coordinator reports that this has increased Serbia's capacity to investigate cases of human trafficking. (5)
Protocol on Rules and Procedures for the Institutions and Organizations Working with Children Involved in Life and Work on the Streets of Belgrade	Aims to enhance institutional cooperation among MOI, the Criminal Police Directorate, the Communal Police, city SWCs, the City Secretariat for Education, the City Secretariat for Health, and civil society organizations. (62) Defines street children, worst forms of child labor, child work, and child trafficking. (1,62) Stipulates lead institutions, rules, and procedures for interacting with street children. Save the Children is funding the first round of training on the Protocol. (1) In 2019, the city of Belgrade opened a shelter to house children engaged in street work. (5,52)
National Strategy for Roma Inclusion (2016–2025)	Seeks to include representatives from Roma communities in policy implementation and aims to improve access to education for Roma population in Serbia, including access to preschool. (63) In addition, the government adopted the Action Plan for the Strategy for Social Inclusion of Roma Men and Women for 2017–2018, which mandates the inclusion of Roma in education and employment. (20) In 2019, Serbia recorded increased primary school enrollment for Roma children. (5)

Child labor elimination and prevention strategies do not appear to have been integrated into the National Strategy for Roma Inclusion (2016–2025). (11)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Access to Education Programs†	The Inclusive Early Childhood Education and Care program is a World Bank, Ministry of Finance, and Ministry of Education, Science, and Technological Development project that aims to improve access to early childhood education for socially disadvantaged children. (70) In 2019, a bylaw was adopted defining procedures for internal and external evaluation to improve program efforts. (5) The Child Allowance program is a government cash benefits program for poor families, conditional on school enrollment for children ages 7 and older. (9)
Assistance to Roma Children in Education*	A Ministry of Education, Science, and Technological Development policy that seeks to improve the school attendance rate of Roma children. In 2019, school attendance rates for Roma children improved. (5) Includes the Law on the Foundations of the Education System, which encompasses affirmative action measures to improve participation and performance of Roma children in the education system. (9)
Belgrade Children's Shelter†*	A social welfare institution funded by the City of Belgrade; opened in 2019. (5) Caters to vulnerable children 7 to 18 years of age. Provides accommodation services and daytime shelter services to meet the needs of young people and street children from which they are referred to competent social work centers and judicial authorities. (5)
Strengthening the Identification and Protection of Victims of Trafficking†	An IOM, CPTV, and MOI project that contributes to the implementation of the National Anti-Trafficking Strategy by improving mechanisms for the prevention and identification of victims of human trafficking. (24) In 2018, MOI, MOLEVSA, and the Public Prosecution Office signed a Memorandum on Cooperation in the Field of Suppression of Human Trafficking and the Rights Protection of Human Trafficking Victims. (9,71) The Memorandum defines mutual rights in the identification of human trafficking, assistance and protection of victims, and statistical reporting. (13,71) In 2019, the "Fundamentals of Child Safety" program was implemented via 3,848 lectures held at primary schools discussing the prevention and protection of children from human trafficking. During the lectures, the mobile phone application "Basics of Child Safety" was presented and 50,000 handbooks on child safety were distributed to children and educators. (51)
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor	The government collaborates with the ILO to implement the USDOL-funded MAPI6 project in Serbia. Specific goals of the program include improving application of knowledge in support of efforts to eliminate child labor; strengthening the policy-making process; improving the capacity of the government, national authorities, employers' and workers' organizations, and other relevant entities to combat child labor; and strengthening partnerships to accelerate progress in combatting child labor. (5,67-69)

* Program was launched during the reporting period.

† Program is funded by the Government of Serbia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (9, 13,72)

The Government of Serbia has implemented programs on child labor and inclusive education. In 2019, the government took steps to assist children living and working in the streets by opening the Belgrade Children's Shelter. (5)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Serbia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law does not treat child beggars as criminals.	2017 – 2019
	Ensure that the law criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2019
	Ensure that the Law on Children's Rights and Child Ombudsman is passed.	2019
Enforcement	Ensure that staff members at the Social Welfare Centers have sufficient resources, such as personnel and funding, to address the specific needs of child trafficking victims.	2015 – 2019
	Ensure that children are not recruited by non-state armed groups, including to participate in non-state-affiliated military training camps.	2019
	Train new labor inspectors on child labor.	2015 – 2019
	Ensure that criminal investigators and agencies combating trafficking in persons have the necessary funding to conduct thorough investigations.	2010 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that the National Coordinator for Combating Trafficking in Persons has a level of financial support that facilitates efforts to eliminate child labor.	2019
Government Policies	Integrate child labor elimination and prevention strategies into the National Strategy for Roma Inclusion.	2017 – 2019
Social Programs	Address barriers to education, including access to birth registration documentation; increase access to education for children with disabilities; and increase access and retention rates for minority populations, particularly migrant and Roma children.	2013 – 2019

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