

In 2014, Serbia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Statistical Office of the Republic of Serbia published the results of the Multiple Indicator Cluster Survey for Serbia and for Serbia Roma Settlements, which includes data on the prevalence of child labor in the country. The Government also established 92 child protection teams across the country that provided social services to street children, and 10 new anti-trafficking teams to improve prevention and protection efforts at the local level. However, children in Serbia are engaged in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking, and in commercial sexual exploitation as a result of human trafficking. Serbia does not have legislation that clearly and comprehensively describes the hazardous occupations or activities prohibited for children. The Government also lacks a national policy to combat child labor and a mechanism to effectively coordinate efforts to address child labor across government agencies.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Serbia are engaged in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking, and commercial sexual exploitation as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in Serbia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	6.0 (54,045)
Attending School (%)	5-14 yrs.	92.5
Combining Work and School (%)	7-14 yrs.	6.7
Primary Completion Rate (%)		93.2

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2005.(6)

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 (7)
	Manufacturing,* activities unknown (8)
Industry	Construction,* activities unknown (8)
	Mining* and quarrying* (8)
Services	Street work, including washing cars, collecting scrap material, vending, and begging (3, 9-12)
	Wholesale and retail trade* (8)
	Repairing motor vehicles* (8)
	Working in food service,* information and communication,* and transportation and storage* (8)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation as a result of human trafficking (1-4, 9, 11, 13, 14)
	Forced begging and used to commit crimes each sometimes as a result of human trafficking* (1, 9, 14)
	Used in the production of pornography* as a result of human trafficking (13)

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Used in illicit activities, including in the production and trafficking of drugs as a result of human trafficking* (13)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

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

In 2014, the Government of Serbia published the final results of the Multiple Indicator Cluster Survey (MICS 5) and the Roma Settlements Multiple Indicator Cluster Survey. The final report indicates that 10 percent of all children in Serbia and 5 percent of children living in Roma settlements ages 5 to 17 are involved in child labor.(15, 16) In rural areas, child labor is more prevalent, with 16 percent of rural children engaged in child labor compared with 5 percent of urban children.(15, 16) Despite these new data, there is still not sufficient research to determine the specific occupations and work activities carried out by children in most relevant sectors.




Children who are most vulnerable to exploitation include children from the Roma population, those from poor rural communities, those living in foster care or low-income families, and those with special needs.(3) The majority of child trafficking victims are trafficked internally.(4)

Economic hardship, ethnic discrimination, and language barriers discourage some children in minority groups from attending school, especially Romani girls.(9, 17) This makes these children more vulnerable to the worst forms of child labor. Individuals at risk of statelessness, particularly Romani parents and their children, often lack birth registration and documentation, which restricts their access to basic social services like health care and education.(9, 17) Although a technical working group exists to streamline complex registration procedures for undocumented minorities, including the registration of children whose parents are not registered, training is still needed for judges, registrars, and social workers to implement the revised procedures properly.(9, 18)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF 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, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 24 of the Labor Law of the Republic of Serbia; Article 66 of the Constitution of the Republic of Serbia (19, 20)
Minimum Age for Hazardous Work	Yes	18	Article 25 of the Labor Law of the Republic of Serbia; Article 66 of the Constitution of the Republic of Serbia (19, 20)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 25, 84, 87, and 88 of the Labor Law of the Republic of Serbia (20)
Prohibition of Forced Labor	Yes		Article 26 of the Constitution of the Republic of Serbia (19)

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Prohibition of Child Trafficking	Yes		Article 388 of the Criminal Code of the Republic of Serbia; Article 26 of the Constitution of the Republic of Serbia (19, 21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 183–185 of the Criminal Code of the Republic of Serbia (21)
Prohibition of Using Children in Illicit Activities	Yes		Article 388 of the Criminal Code of the Republic of Serbia (21)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 4 of the Law on Military, Labor and Material Obligation (22)
Minimum Age for Voluntary Military Service	Yes	18	Article 39 of the Law on the Army (23–25)
Compulsory Education Age	Yes	15	Article 71 of the Constitution of the Republic of Serbia; Articles 94 and 98 of the Law on the Foundations of the Education System (19, 26)
Free Public Education	Yes		Article 71 of the Constitution of the Republic of Serbia; Article 91 of the Law on the Foundations of the Education System (19, 26)

Serbian labor law states that children ages 15 through 17 may not engage in work that is harmful to their health, morals, education, or in work which is prohibited by law.(20) According to article 84 of the Labor Law, employees under age 18 are prohibited from strenuous physical work underground, underwater or at excessive heights, work that may expose them to toxic substances or other health hazards, and activities that are judged by a competent health authority to be harmful. In addition, employees under age 18 may not work longer than 35 hours per week or during the night, with some exceptions.(20) Despite these provisions, the Labor Law does not identify the specific hazardous occupations and activities prohibited for children in all relevant sectors. This lack of specificity presents challenges for effective enforcement action, including the removal of children from hazardous labor situations and the sanctioning of employers.(20)

The Criminal Code prohibits the use of children under age 14 for the production of pornography, but it applies different penalties to those who use children to make pornography based on the age of the child.(21, 27) When this crime involves children under age 14, the penalties range from 1 to 8 years in prison; however, the penalties for using a minor, defined as an individual age 14 and older but who has not yet attained age 18, to make pornographic materials range from 6 months to 5 years.(27) This minimum penalty of 6 months for using minors to create pornography may be an insufficient deterrent for such a serious crime. While in previous years it was unclear whether Serbian law specifically prohibited the use, procuring, or offering of a child for illicit activities, the Government has clarified that Article 388 of the Criminal Code prohibits this offense.(28)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, Veteran, and Social Policy's Labor Inspectorate	Enforce labor laws and conduct inspections, including those related to child labor.(15)
Ministry of Interior	Enforce laws prohibiting commercial sexual exploitation and human trafficking through the Organized Crime Police Force and the Border Police Force.(29) Oversee the General Police Directorate, which consists of 27 local police directorates, all of which have dedicated anti-trafficking units.(4, 12, 30)
State Prosecutor's Office	Lead investigations on trafficking in persons cases and exchange information through a network of 27 local prosecutors and two NGOs.(30) Provide financial support to the Center for Human Trafficking Victims' Protection by collecting fees from defendants in minor criminal cases.(31)
Center for Human Trafficking Victims' Protection (The Center), Ministry of Labor, Employment, and Social Policy	Identify and rescue child trafficking victims and children at risk of being trafficked, conduct needs assessments, and refer victims to social services. Maintain a database of its beneficiaries and of the services provided to them, and participate in research projects that relate to trafficking.(12) Includes the Agency for Coordination of Protection of Trafficking Victims and the Urgent Reception Center for Trafficking Victims.(12)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Parliamentary Committee on Children	Review all draft legislation in terms of children's rights to ensure that legislation is aligned with international norms and standards. Monitor the implementation of the child-related provisions of all laws.(3) Report to the UN CRC.(3)
Deputy Ombudsman for Children's Rights, Office of the Protector of Citizens	Monitor and conduct research on the situation of children's rights in Serbia. Produce reports on child begging, promote inclusive education of children and legal prohibition of corporal punishment, and manage the drafting of a comprehensive law on children's rights for parliamentary approval.(24, 32)

Law enforcement agencies in Serbia took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2014, the Ministry of Labor, Employment, and Social Policy employed 241 inspectors in the Serbian Labor Inspectorate.(33) Research found that the Labor Inspectorate generally lacked funding to provide specialized training and the necessary equipment, such as computers and vehicles, to facilitate the adequate enforcement of laws prohibiting child labor.(7, 34, 35)

During the reporting period, the Labor Inspectorate conducted 52,863 labor inspections.(33) Inspectors were authorized to conduct both routine and complaint-driven site visits in the formal sector, including for child labor violations.(15) The Labor Inspectorate also has the authority to penalize businesses that are operating without formal registration.(29) Labor law empowers the Labor Inspectorate to file offense proceedings against any employer who has committed a child labor violation. However, research found that inspectors were sometimes denied the right to enter a workplace to conduct inspections, especially in new private enterprises.(36)

In 2014, the Labor Inspectorate reported that it found no incidents of children under age 15 working, and issued no citations or penalties to employers for violations of child labor law governing minimum age.(15) Inspectors also reported that there were 25 cases of minors ages 15 to 18 employed without parental or guardian approval in violation of the labor law, but it is not clear whether this work was hazardous.(33) If children are identified in situations of exploitative labor, they may be referred to receive social services at a center for social work, found within every locality.(12)

Criminal Law Enforcement

According to Serbian authorities, there are a total of 352 police officers responsible for enforcing criminal laws related to irregular migration, cross-border crime, and human trafficking; the majority of these officers are stationed in Belgrade and in 26 regional departments.(37) During the reporting period, the Government, along with NGOs and international organizations, trained relevant government officials on how to recognize, investigate, and prosecute human trafficking cases, as well as how to assist victims properly.(3, 31) The Ministry of Interior conducted 19 training sessions for 329 police officers.(12)

In 2014, the Government investigated a total of 55 cases of human trafficking, 35 for the purpose of labor exploitation and 20 for commercial sexual exploitation.(12) The Ministry of Interior reported that authorities identified 12 child trafficking victims, 13 children used in the production of pornography, and 48 children used in the production and trafficking of drugs.(13) In the majority of cases, police officers are the first to encounter victims of trafficking whom they then refer to the Center for Human Trafficking Victims' Protection for formal identification and provision of social services.(8, 31) In 2014, the Center assisted 19 child trafficking victims.(12) During the reporting period, the Center for Human Trafficking Victims' Protection was not able to open its emergency shelter, the Urgent Reception Center, due to continued litigation over the shelter's physical location.(8, 12) When fully operational, the Urgent Reception Center will accommodate child trafficking victims on a temporary basis; however, it is not a specialized shelter for children.(31) NGOs raised concerns that the Center for Human Trafficking Victims' Protection lacked procedures to address the specific needs of child trafficking victims.(31)

The Government reported that it registered 11 criminal acts of trafficking in children in 2014, and it charged 13 individuals for these crimes.(13) There were no reports of convictions or sentences issued in these cases.(33) In previous years, a source indicated that children found in forced begging were often penalized for petty offenses instead of being treated as victims of trafficking; however, there are no reports that this occurred in 2014.(4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established mechanisms to coordinate its anti-trafficking efforts, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Council for Combating Trafficking in Human Beings	Set government policies against trafficking in persons. Includes the Ministers of Finance; Labor, Employment, Veteran, and Social Policy; Health; Justice; Economics; and Education. Chaired by the Minister of Interior.(30)
National Coordinator for Combating Trafficking in Persons (National Anti-Trafficking Coordinator)	Implement the policies of the Council for Combating Trafficking in Human Beings and coordinate the day-to-day anti-human trafficking efforts of the Implementation Team, which includes representatives from the ministries of Interior; Labor, Employment, Veteran, and Social Policy; Justice; Public Administration and Local Self-Government; Foreign Affairs; Education, Science, and Technology; Health; Culture and Information; Youth and Sport; and Trade, Telecommunications, and Tourism. Also includes participants from the Republic Public Prosecutor's Office, the Office for Human Minority Rights, the Security Information Agency, the Commissariat for Refugees and Migration, the Social Inclusion and Poverty-Reduction Team, the Center for Human Trafficking Victims' Protection, and local NGOs.(12) Based in the Ministry of Interior.(30)

In January 2014, the Government reestablished the Council for Children's Rights to coordinate government efforts to address and prioritize children's issues in Serbia. The Council includes representatives from international organizations and various government ministries.(12) In November, the Council agreed to establish a working group that would be responsible for developing an action plan to address the issue of children who beg on the streets, but this working group has yet to convene.(33)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Serbia has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Strategy for the Improvement of the Status of Roma in the Republic of Serbia (National Roma Strategy)*	Aims to improve the status of Roma people in Serbia in terms of housing, education, employment, and health.(17) Seeks to include representatives of Roma communities in the process of policy implementation. Resulted from the signing of the Declaration of the Decade of Roma Inclusion (2005–2015) in 2005.(17)
Anti-Discrimination Strategy and Action Plan (2013–2018)†	Seeks to prevent discrimination and improve the situation of nine vulnerable groups, including children and ethnic minorities. Targets children subjected to multiple forms of discrimination, such as Roma children, refugees and internally displaced children, and victims of human trafficking and commercial sexual exploitation, including those used in the production of pornography.(37, 38) In 2014, the Government adopted the Action Plan for Implementation of the Strategy. Specific objectives of the Action Plan include monitoring the progress of efforts to promote inclusive education and reduce discrimination in schools, and ensuring support in education for children with disabilities, Roma children, and children living and working on the streets.(15)
Strategy for Combating Trafficking in Human Beings (2006) and the National Plan of Action to Combat Trafficking in Human Beings (2009–2011)	Aims to address the problem of trafficking in persons in the areas of institutional framework; prevention, assistance, protection, and reintegration of victims; international cooperation; and monitoring and evaluation of mechanisms to combat human trafficking. In effect until the new strategy is adopted, but lacks dedicated state funding for anti-trafficking activities.(30, 37)
Special Protocol on the Treatment of Trafficking Victims by Judicial Authorities	Aims to provide judicial officials with clear guidance to facilitate adequate treatment of trafficking victims.(39)
National Plan of Action for Children and General Protocol on Child Protection from Abuse and Neglect (2005–2015)*	Establishes policies to promote quality education for all children and to protect children from abuse, neglect, exploitation, and violence. Associated protocols include 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.(24, 27)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Serbia

MODERATE ADVANCEMENT

During the reporting period, the Government continued to consider a draft National Strategy for Preventing and Combating Trafficking in Persons for 2015–2020 (National Strategy) and its accompanying Action Plan for 2015–2016 (Action Plan), but it has not yet been adopted by the National Assembly.(30, 31, 33) The Government reported that the new National Strategy and its Action Plan will incorporate policy positions from the previously proposed National Strategy to Prevent and Protect Children from Trafficking and Exploitation for Pornography and Prostitution (2012–2016).(8) There has not been an up-to-date National Strategy in place since 2011.

Research found that although the Government of Serbia has formulated strategies in the context of the Decade of Roma Inclusion, its commitment to implementation of these strategies has been low. In particular, the National Roma Strategy did not sufficiently address housing issues for Romani people in Serbia who have been forcibly evicted or are at risk of eviction from informal settlements.(33, 40–42) This situation increases the vulnerability of children in such families to involvement in the worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Serbia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Child Allowance Program*‡	Government cash benefits program for poor families, conditioned upon school enrollment for children age 7 or older. Provides a regular allowance of approximately \$32 for parents, and of \$39 for single parents with children.(24, 43)
Assistance to Roma Children in Education*‡	Ministry of Education program that seeks to improve the school attendance rate of Roma children. Includes a Serbian language training component to help Roma students integrate into the school environment.(24, 44)
European Support for Roma Inclusion (2013–2014)*	\$5.3 million EU-funded, 2-year project implemented by OSCE to improve the situation of Roma people in Serbia, including by providing support for Roma people to register and obtain official documentation, providing scholarships for Roma children to reduce secondary school dropout rates, and monitoring and improving housing conditions in Roma settlements.(15, 45)
Programs Under Social Security Law*‡	Government program that provides a range of social services, including assistance to trafficking victims.(46) Requires Social Services Centers in 140 communities to maintain 24-hour duty shifts in order to protect children from abuse and neglect, including Roma children.(8, 28)
Local Communities Against Trafficking‡	\$180,000 IOM and Swiss Development Agency-funded project, implemented by the Ministry of Interior in collaboration with NGOs that establishes multi-sector anti-trafficking teams to improve prevention and protection efforts at the local level.(35) Teams consist of representatives from local police departments, the Higher Public Prosecutor’s Office, the Social Welfare Center, the Red Cross, various health institutions, the local branch of the National Employment Agency, schools, civil society organizations, and other local authorities. In 2014, the project expanded to 10 additional cities, bringing the total number of teams to 17.(12, 13)
Strengthening the Identification and Protection of Victims of Trafficking†	IOM, Center for Human Trafficking Victims’ Protection and Ministry of Internal Affairs project that contributes to implementation of the National Anti-Trafficking Strategy by improving mechanisms for the prevention and identification of victims of human trafficking. Establishes general and specific monitoring indicators.(13)
Anti-Trafficking Efforts‡	Government programs that provide support to victims of human trafficking, including through maintaining a national anti-trafficking web site and hotline; providing foreign and domestic trafficking victims with access to social services and medical care, as well as witness and victim protection services; and providing accommodation for child trafficking victims in two Centers for Children Without Parental Care.(3, 12, 47)
Protection for Street Children†‡	Government programs that establish teams within local centers for social services to provide protection for children living and working on the streets.(15) Teams include representatives from the Ministry of Interior, health care professionals, educators, and social workers. In 2014, provided social services to 60 children.(15) A total of 32 local governments established 92 teams; preparations for an additional 35 teams were ongoing.(15)

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Serbia.

In 2014, representatives from the Government of Serbia, the ILO, the U.S. Embassy in Belgrade, USDOL, trade unions, international organizations, and NGOs participated in a roundtable discussion named “The Elimination of the Worst Forms

of Child Labor in Serbia: International Experiences and Recommendations.” The panel identified existing gaps in laws, policy, and social programs aimed at addressing the worst forms of child labor in Serbia; it also discussed strategies for addressing these issues. (12, 18)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Serbia (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and/or activities prohibited for children are specific enough to facilitate enforcement.	2009 – 2014
	Ensure that the law stipulates a minimum punishment for the use of children over age 14 in the production of pornographic materials that is no less than the minimum penalty for children under age 14.	2011 – 2014
Enforcement	Provide labor inspectors with the necessary training, tools, and equipment to conduct thorough investigations on laws related to child labor.	2010 – 2014
	Ensure that the Labor Inspectorate has the ability to enter and inspect any registered workplace for child labor violations, as guaranteed by the law.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2013 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2014
	Adopt a new national strategy and action plan for preventing and combating human trafficking in Serbia.	2013 – 2014
	Implement the commitments of the Decade of Roma Inclusion by providing for basic needs, such as adequate housing for Roma families that face evictions or have been evicted.	2011 – 2014
Social Programs	Conduct research to describe the specific work activities carried out by children in the agriculture and industry sectors to inform policy and program design.	2013 – 2014
	Expand and provide adequate funding for existing programs aimed at improving access to education for Roma children.	2014
	Improve the methods of educating and guiding families in need about the requirements for proper registration and documentation in order to receive social assistance; ensure that the revised registration procedures are implemented efficiently and properly.	2011 – 2014
	Fund and support the Urgent Reception Center to protect child victims of human trafficking.	2013 – 2014
	Assess the impact that existing social programs may have on addressing the worst forms of child labor.	2010 – 2014

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