

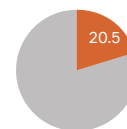
“ Country recommendation

Serbia should take action to prioritise the development and implementation of a Child Guarantee programme aligned with the European Child Guarantee.

Country Profile 2023



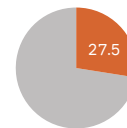
Serbia



Child Population:

1,193,080

20.5% of total population (2021)



Child Poverty:

328,097

27.5% (2021)

▼ -3.1% compared to 2020

RESPONDENT ORGANISATION(S):

[Network of Organisations for Children of Serbia](#)

[Pomoc Deci](#)

Children's Rights in Serbia

In Serbia, there is no specific cabinet minister solely responsible for child rights. However, there are several key mechanisms and institutions that work towards the protection and promotion of child rights.

[The Council for the Rights of a Child](#) a crucial oversight body that guides the government in safeguarding children's well-being and rights, remains inactive. Although the Child Rights Council was re-established on March 30, 2023, by the Government of Serbia, no meetings have been held until now. The Network of Organisations for Children of Serbia has repeatedly called for the establishment of the Council for the Rights of the Child, emphasising the need for adequate budget, technical resources, and human resources to ensure its effectiveness in safeguarding and promoting children's rights.

Ministries involved in child-related agenda include the Ministry of Labour, Employment, Veterans and Social Affairs (children's welfare), the Ministry for Human and Minority Rights and Social Dialogue (child rights policy and monitoring), and the Ministry of Family Welfare and Demography (family protection, population policy, birth rate policy).

Serbia has no comprehensive Law on Child Rights. The child-related agenda is incorporated into the legislation on education, health, home affairs, justice, social welfare, child protection, and other laws. Although Serbian law guarantees all children the right to live free of discrimination, Roma children, children with disabilities and children in rural areas do not exercise this right.

There are several gaps in existing legislation, such as absence of the Law on Child Rights, and the Ombudsman for Children which have not been adopted yet despite the consultation to inform the legislation had already started in 2019. The revision of Family

Law to introduce and define the concept of 'child', to prohibit physical punishment of children, underage marriages, and specify other fundamental issues related to upholding children's rights, remains pending. Furthermore, the Optional Protocol to the Convention on the Rights of a Child on communication procedures has not been ratified yet.

Another major barrier constraining realisation of children's rights is the absence of new National Action Plan for Children since 2015, when the previous one came to an end.

Child participation

Children's opinions are not taken into account sufficiently in Serbia and there are only limited opportunities for children to take part in discussions on issues affecting them. There are "Children's Parliaments" in each secondary school in Serbia however, this is restricted for secondary schools and does not have a proper mechanism to avoid

tokenistic child participation. According to the Network of Organisations for Children of Serbia and Pomoc Deci, Serbia needs to ensure that children are recognised as an expert in their own lives and to give them the opportunity to meaningfully participate through systematic and structured mechanisms.

Anti-child rights movements

In recent years, far right-wing politicians and movements in Serbia have increasingly taken public stances that deny or downplay the importance of child rights and prioritise 'parents' rights'.

Although majority of civil society organisations (CSOs) working with and for children in Serbia have advocated for many years to legally prohibit corporal punishment, there are strong anti-child rights movements against this legislation. These groups support so called 'traditional family values' and 'parental autonomy' that take precedence over child rights.

Child safety and well-being online

With the increasing use of the internet and digital devices by children, they are more exposed to various online risks, including cyberbullying, online harassment, inappropriate content, and privacy concerns.

[Research by UNICEF](#) in Serbia has shown that 86% of children aged 9 to 17 use the Internet daily. However, many children lack the necessary digital literacy skills to navigate the online world safely.

The Government of Serbia has taken some [steps to promote awareness and safe internet use](#). [The National Contact Centre for the Safety of Children on the Internet](#) was established in 2017 to facilitate reporting¹ and support to children via the 19833 hotline and raise awareness through the *Smart and Safe platform*. However, concerns about the

level of protection for children online remain and more policies addressing it are needed.

The Network of Organisations for Children of Serbia and Pomoc Deci call for the introduction of measures promoting safe digital experiences by children and the reporting of harmful content, especially online abuse. Teachers and families must be provided with support to enhance social media literacy skills.

Child protection system

The child protection system is well regulated in Serbia. However, there are gaps when it comes to compliance with the international standards and the implementation. Despite the deinstitutionalisation reforms, there are still young children deprived of parental care, placed in institutional care. Children with disabilities, who are overrepresented in residential

care, usually live there from early years until adulthood and then they are moved to other institutions.

The *Strategy for Prevention and Protection of Children from Violence 2020-2023*, identifies more than 20 types of violence against children, including physical, peer violence, sexual and online violence as well as child marriages. However, the plan for 2022-2023 has not been developed yet. Nor has the Working Group for the implementation and monitoring of the Strategy been established.

The *General Protocol for Children's Protection from Violence*, adopted in February 2022, identifies different types of violence against children, however the concrete actions have not been developed yet to enforce its implementation.

Network of Organisations for Children of Serbia and Pomoc Deci

welcome the *Law on Prevention of Domestic Violence* (2017), but a stronger emphasis should be placed on the protection of children as victims and witnesses of domestic violence. Another positive development is a draft of the new *Specific Protocol for Protection of Children from Violence in Sport and Recreational Activity Settings* that was presented in March.

Children in migration and refugees

Serbia is a transit and destination country for migrants and refugees, including children, fleeing conflicts, or seeking better opportunities. These children often face a precarious situation during their journey or while residing in Serbia.

In their attempt to enter EU, refugees and migrants frequently arrive in southern Serbia. According to [Save the Children](#), in

¹ Cyberbullying, sexting, trafficking, identity theft, fraud, other illegal activities, and other forms of exploitation of children.

the first quarter of the 2023, the number of registered refugees and migrants continued to rise in most countries along the Balkans route. The majority of these individuals are young people, according to [the UNHCR report](#). As of July, there are 95 unaccompanied children in Serbia.

Children of refugees and internally displaced persons are frequently exempt from social benefits therefore, they mostly struggle to make their ends meet. There is no systemic effort to address this problem.

Climate change and environmental impacts

Serbia is experiencing the effects of climate change that significantly disrupts the lives of children. [Research by Friends of Children of Serbia](#) reveals that most children have concrete proposals to mitigate the impact of climate change. Regrettably,

only 5.7% respondents have noted that child participation has influenced any public policy.

The proposed actions include educational programmes, peer education, and concrete activities. For example, as a result of the [DIALOGUE from ECO anxiety to ECO action](#) project, the *Youth guidelines for children's involvement in environmental protection* were created. The guidelines are based on input from 30 children and young people (ages 14 to 23) who were involved in the project.

In addition to improving access to clean water, reduction of air pollution, and enhancing of climate resilience it is crucial to establish the transparent procedures for stakeholders' participation to allow children to shape the sustainable development policies.

Children's mental health

According to a [UNICEF survey](#), 21.9% of children reported nervousness at least once a week, 10.8% of school students reported bad mood and 4.1% of the total population showed symptoms of depression. The number of mental health centres and community-level service networks is insufficient, and coordination between services is poor or non-existent. The institutions such as counselling centres, psychiatric hospitals, and daily clinics cope with high number of patients and are not accessible in rural regions. Network of Organisations for Children of Serbia and Pomoc Deci call for reform of mental health system in Serbia to be able to identify mental health issues at an early stage and to provide adequate treatment because delays have long-term consequences for children.

Child-friendly justice

Children in the juvenile system face many challenges related to the obsolete justice system in Serbia. There is neither adequate pre-trial detention, nor the programmes at the community level for integration of juvenile offenders under 14 years old who are not criminally responsible. This is in contrast with the international standards. There [have been various project initiatives](#) and funding support including from the European Commission. However, as proposed by the *NGOs' coalition informing 2022 Serbia Progress Report*, a sustainable, systemic solution that would be in line with the relevant international standards is yet to be found.²

According to the Law on Free Legal Aid, children in conflict with the law are eligible to receive free legal aid, but other safeguards and support mechanisms need to

² Serbia 2022 Progress Report, Written Submission from the Coalition for Monitoring Child Rights in Serbia, Belgrade, April 2022.

be developed to ensure children are not harmed by the justice system.

Child trafficking

The current national legislation prescribes provisions for prevention and punishment of child trafficking. Its effective implementation is hindered by lack of data based on the indicators to identify child victims in all stages and for all forms of child trafficking. Moreover, according to the contributors to this report, professionals such as criminal police, labour inspectors and social workers should undergo a special training. The *standard operating procedures for Child Protection* should be adopted as well as the protection programs for child victims.

No significant progress has been achieved in the field of the prevention and elimination of child marriages, despite the efforts of the National Coalition to End Child Marriages, which consists of more than 20 CSOs and institutions dedicated to promoting children's

rights and the eradication of the harmful practice of child marriages in the Republic of Serbia.

Poverty and Social Exclusion – Experiences of children, families, and communities

Child poverty in Serbia

In Serbia, there is a lack of attention to tackle child poverty. According to Eurostat data, the risk of poverty for children was 27.5% in 2021, above the general poverty risk rate was 21.2%, but just under the general rate of risk of poverty or social exclusion at 28.5%. Household with dependent children, especially those consisting of two adults with three or more dependent children, face the highest risk of poverty at 38.8%. Despite this, child poverty is not recognised as a priority in public policies.

Children from marginalised and vulnerable groups, such as Roma children, children with disabilities, children living in rural areas are most in need.

Children from minority groups (Roma children) face multiple forms of discrimination leading to poverty and social exclusion. Roma children also face significant barriers in accessing healthcare, due to lack of information, missing health infrastructure in the settlements, and discriminatory attitudes of healthcare providers.

Additionally, the problem of child marriages in Serbia is predominantly among the Roma population. In Serbia, 22% of young women from the poorest households, and 56% young women from Roma settlements are married before their 18th birthday. When it comes to education, only 7% of children aged 3–4 years from Roma settlements attend pre-school education.

When it comes to children with disabilities, the community-based services and support to families are the biggest gaps. According to the Initiative for the Rights of Persons with Disabilities - MDRI-S (2021), children with developmental disabilities make

up about 80% of children who live in institutions, where they are often mixed with adults and where they are threatened with lifelong segregation. This is due to ineffective support for families to keep their children at home.

Children in remote rural areas are particularly at risk because services are limited, and poverty is higher due to limited economic opportunities. Families in these regions struggle to provide for their children's basic needs, including food, clothing, and housing. Moreover, rural areas lack other social services and support systems available in urban centres.

Children living in poor families struggle most to break inter-generational transfer of poverty. It affects 10.6% of children aged 0–13 who lived in absolute poverty in 2020.

As the above survey discloses, families with children are more impacted by the Covid-19 pandemic and on-going war in Ukraine. Almost all households

are experiencing rising costs, and a quarter of them have reduced income. One-fifth of households are barely making ends meet. Preliminary projections indicate a likely increase in child poverty, with between 25,000 and 50,000 additional children falling into absolute poverty, with those living in households on agriculture the most likely to be affected.

To address the needs of families in adversity and contribute to reducing child poverty and social exclusion, Network of Organisations for Children of Serbia and Pomoc Deci recommend the government develops policies and allocate funding to ensure: decent and adequate living conditions; quality education for all children; protection from all forms of violence and exploitation; quality and affordable health care and environment; and full support to live and grow up in a family that is a safe and supportive place.

Countries in Accession

Every year, the European Commission publishes the Enlargement Package that assesses the state of play in accession countries, including progress concerning upholding human rights and children's rights. Eurochild and its members in Serbia contributed to the [2023 consultation on the Enlargement Package](#) to provide a child-rights perspective and insights on the situation for children in need.

The top priorities for Serbia regarding children:

1. The European Child Guarantee should be extended to the countries in accession. Serbia would benefit from being part of this policy and funding instrument to tackle child poverty and social exclusion systematically. All children in Serbia should have equal access to services and support for their well-being.

2. The proposed EU Legislation to Prevent and Combat Child Sexual Abuse should be reflected in the relevant laws not only in EU countries but in the relevant legislation in the accession countries with the same standards – this to be required within the accession process legislative harmonisation with EU laws.
3. Prioritise reform of the child protection systems to ensure the well-being and rights of all children are fulfilled. Children should be prevented from all forms of discrimination, abuse, and violence.
4. Develop and improve a comprehensive legal framework dedicated to the protection of children's rights. This legal framework should encompass all aspects of child rights, providing a clear and robust foundation for safeguarding children's well-being and ensuring their full participation in society.

In Serbia, all new legislation must be subject to public consultation. However, due to the shortage of time (usually 2 weeks), or the lack of opportunities, this is rarely exercised by NGOs. A good example of public consultation is the [working group focusing on the development of the deinstitutionalisation strategy](#) facilitated by the Ministry for Human Rights and Dialogue that involves a member of Network of Organisations for Children of Serbia, the Mental Disability Rights Initiative-Serbia - Affiliate of Disability Rights International.

Pomoc deci currently implements EU-funded projects: *the Children's Rights, UP!* project is [developing gender equality from early years](#); tackling child sexual abuse; and the [ECD+ project - early childhood development and care for marginalised Roma communities](#)

Eurochild advocates for children's rights and well-being to be at the heart of policymaking. We are a network of organisations working with and for children throughout Europe, striving for a society that respects the rights of children. We influence policies, build internal capacities, facilitate mutual learning and exchange practice and research. The United Nations Convention on the Rights of the Child is the foundation of all our work.



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the heart of Europe

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