SERBIA
EU PROGRESS REPORT AND CHILD PROTECTION INDEX HIGHLIGHT KEY WEAKNESSES IN THE CHILD PROTECTION SYSTEM
**ChildPact** is a regional coalition of 650 civil society organisations that advocates for greater child protection reform in the Southeast Europe and South Caucasus sub-regions. Established in 2011, ChildPact is a coalition of coalitions: its members are national networks of child-focused civil society organisations from 10 countries within the European Union’s Enlargement and Neighbourhood zones. www.childpact.org

**MODS - the Serbian National Federation of Child-Focused CSOs** - is a formal network of civil society organisations that is devoted to the fulfilment of child rights, the reduction of child poverty, access to quality education and culture, access to affordable and quality health care and the protection of children from abuse, neglect, exploitation and violence.

MODS members: Youth Association Vrbas • Centre of local Democracy LDA • Centre for Children’s rights • Centre for children and youth Vrnjacka banja • Center for youth integration • Center for research and development of society • Center for creative development • Center for support early childhood and family relations HARMONIA • Center for positive development of children and youth • Center for child rights • Center for production of knowledge and skills • Center for work with children, youth and families Vrdnicak • Center for social preventive activities GRIG • Center for interactive pedagogy CIP • Children’s center • Center for civic activism – Denizen • Association Evoruka • Association for cerebral paralysis, child paralysis and plegia • EDU-PORT • Educational Roma center • Association for development of children and youth – Open club • Association for development of creativity • Association for alternative family care Serbia – FAMILIA • Foundation SOS Children’ villages • Group Imagination • Group for children and youth Indigo • I have rights • Initiative for inclusion VelikiMali • Mental Disability Rights Initiative of Serbia (MDRI-Serbia) • Association for helping children with special needs Our dreams • Further support Initiative “Iskrica” • Cultural informational centre Pralipe • Citizens Association for combating trafficking in human beings and all forms of gender – based violence ATINA • Education Plus • Youth forum for Roma education • Organization of creative gathering OKO • Knowledge organization • PAAD centre for socio-cultural excellences • Help for children • PRAXIS • Children’s friends – In ija municipality • Association BAZZART • Children’s friends – Novi Beograd municipality • Children’s friends – Voždovac municipality • Children’s friends – Zemun • Children’s friends – Serbia Association • Children’s friends – Palilula municipality • Children’s friends – Požarevac municipality • Children’s friends – Kragujevac • Children’s friends Pirot • Center in Sombor SEC • Education for Serbia • Citizen’s association children’s happiness • Citizen’s association Rainbow • KOKORO • Citizen’s association Creativa – creativity education • Nexus • Citizens’ association Positive • Citizens’ association Parent • Citizens’ association Parent – Novi Sad city • Citizens’ association Parent – Backa Palanka municipality • Citizens’ association Parent – Pirot city • Citizens’ association Parent – Sremavska Mitrovica • Citizens’ association Parent – Temerin municipality • Citizens’ association Parent – Sombor • Citizens’ association Ruma-Rota • Citizen’s association Zlatibor circle New vision • Association of citizens with handicap Friend • Association of fathers • Association of friends of children and youth Zajecar • Association of Roma-Serbian friendship Trunk • Association of single parents Miona • Association of professionals for children and family support FICE Serbia • Association for support of children’s develop Big Small world • Association for helping children with special need – Our dreams • Association for protection and advancement of children and youth STEP FORWARD • Association for study, evaluation and implementation of attachment of children and adults SAFE BASE • Uzice center for child rights • Vega youth Center • Western Balkans Institute • Tijana Juri Foundation • Libero • Children and youth potential development center “Play” – Play Center

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Serbia has walked a long way towards achieving the principles set by the United Nations Convention on the Rights of the Child (UNCRC), but much remains to be done. The EU Progress Report for Serbia and the results of the Child Protection Index (CPI) provide an excellent opportunity to compare and deepen the child protection recommendations regarding the further enhancement of Serbia’s child protection system. Both documents highlight similar issues, and include recommendations on how to deal with them. This report proposes a cross-comparison that follows the outline of the EU Progress Report on child-related issues as it intersects with those indicators of the CPI where Serbia scored a negative result (score 0 - thus not complying at all with envisaged standards).

Serbia still has to put more efforts in the following areas: tackling child trafficking and child labour issues; enabling a more effective coordination within the child protection system; providing better care for children with disabilities and in collecting relevant data and monitoring the child protection system. In addition, the present report includes information on how other countries in the region introduced key reforms in areas where Serbia’s current policies do not comply with the UNCRC.
OVER THE PAST FEW YEARS, EXTENSIVE WORK HAS BEEN DONE IN SERBIA TO IMPROVE THE POSITION OF CHILDREN AND SET LAWS AND POLICIES WHICH GOVERN THE OBLIGATIONS OF GOVERNMENT TO CHILDREN. HOWEVER, CHILDREN IN DIFFICULT CIRCUMSTANCES OR FROM MARGINALISED GROUPS REMAIN VULNERABLE AND CONTINUE TO LIVE IN CONDITIONS THAT SIGNIFICANTLY DIMINISH THEIR CHANCES TO GROW UP IN AN ENVIRONMENT THAT ENABLES DIGNITY AND OPTIMAL DEVELOPMENT

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Serbia has gone a long way towards achieving the principles set by the United Nations Convention on the Rights of the Child, but authorities have the responsibility to do more to protect the most vulnerable children. The European Union’s progress report for Serbia for 2016 highlights some of these shortcomings, and outlines key reforms that need to be implemented. Reading the sections of the progress report that deal with child protection issues in conjunction with the Serbia Country report based on the CPI allows us to highlight sectors where more reforms are needed by Serbia’s authorities in order for them to comply with their international commitments, both as part of the integration process with the EU and as a signatory of the UNCRC.

The results of the Child Protection Index and the information from the Progress Report provide an excellent opportunity to compare and deepen the recommendations regarding the reforms that Serbia needs to put into practice in order to further advance its child protection system. Although the Index comprehensively looks into 623 child protection indicators, this cross-comparisons will strictly follow the outline of the EU Progress Report on child-related issues as it intersects with those Index indicators where Serbia scored a negative result (score 0 – not complying at all with envisaged standards). In addition, the Child Protection Index will show how other countries in the region implemented better measures for those unmet UNCRC requirements in the Serbian case and what Serbia could learn from them.
The Child Protection Index is an instrument created jointly by World Vision and ChildPact that measures a country’s child protection system against a common set of indicators. The Index is based on the prescriptions of a set of articles from the UNCRC as well as on the principles of a systems approach to child protection. The results from each country illustrate the government’s actions towards child protection through the lens of policy, service delivery, capacity, accountability and coordination. Thus, the Index does not measure the well-being of children directly, but it focuses on government policy, investment, and services. The Child Protection Index has been piloted in 9 countries through the work of more than 70 experts involved in data collection and analysis, the use of more than 600 indicators, and the issue of more than 100 policy recommendations. In Serbia, the Child Protection Index has been implemented by the Serbian National Federation of Child-Focused CSOs - MODS.
CROSS-COMPARISON ON EFFECTIVE COORDINATION IN THE CHILD PROTECTION SYSTEM

The EU Progress Report 2016 for Serbia denounces lack of coordination within the child protection system and the fact that: “efforts should be made to ensure uniform implementation of policy.” The Progress Report notes that “On rights of the child, the national plan of action for children expired in 2015. The National Council on the Rights of the Child remained inactive.”

The Screening Report of the European Commission on Chapter 23 – Judiciary and Fundamental Rights had previously recommended that: “It is essential to ensure that coordination and oversight of rights of the child implementation are properly addressed and that the Council for protection of the rights of the child is adequately resourced and empowered to fulfil its mandate and effectively monitor and track implementation of the many action plans and strategies in the area of rights of the child.”

In Serbia, there is a permanent parliamentary body (the Committee on the Rights of the Child) with a clear mandate to consult on matters pertaining to child protection. However, according to the Child Protection Index, current mechanisms are not functional and there is insufficient policy coordination among different levels of government and competent departments. Therefore, the CPI Country Report recommends that “Serbia creates or rehabilitates permanent mechanisms to ensure coordination of child protection policy between various levels and sectors of government and include budgetary analysis on: 1) the proportion of overall budgets devoted to children, 2) disparities between regions, rural/urban areas, and particular groups of children, and 3) the most disadvantaged groups of children.

Besides, the CPI offers more precise insights, by offering answers to specific indicator. Thanks to the CPI, we know that relevant coordination mechanisms are missing in some specific sectors. According to the CPI team of experts in Serbia, we know that for example the answer to the following
questions is a ‘no’:

• „Are responsibilities and roles of competent relevant authorities well defined (consistent, clear, precise, supported by guidelines) at all relevant levels of governance?”

• „Does the state coordinating body on child labour cooperate and coordinate actions against child labour with members of civil society and business?”

• „Does the state provide a central coordinating body for all engagement between various agencies and issues on protection of children from drug abuse?”

• „Do coordination and cooperation mechanisms between interested state authorities (particularly social services, police, justice, education and health) comply with case management and/or other regulations or protocols at all relevant levels of administration?”

Serbia can introduce relevant reforms in the knowledge that other countries in the region are able to answer ‘yes’ to these very same questions. For example, through regional comparisons, we know that 7 out 9 countries included in the CPI have a system of cooperation between the government and representatives of civil society and business to contrast child labour, while Serbia does not have it.
CROSS-COMPARISON CHILD TRAFFICKING

Child trafficking remains a concern for Serbia, as the EU Progress Report 2016 for Serbia highlights that: “Very few cases of trafficking in human beings have been successfully investigated, although Serbia is a source, transit and destination country for trafficked people and is facing increased migratory pressure. No state-run emergency shelter is available for the victims of trafficking and there is no appropriate centre for child victims. Adequate funding needs to be earmarked for assisting victims of human trafficking. A comprehensive, multidisciplinary and victim-oriented approach to human trafficking has yet to be developed.”

The Child Protection Index shows that Serbia registers lower scores in its actions to prevent trafficking and other forms of exploitation. Existing reporting mechanisms only function as early alerts on trafficking. A civil society organisation hosts a hotline to report missing children. This hotline is supported by donors and the Serbian Government. The Ministry of Internal Affairs maintains a database of missing persons, although pictures and information about missing children are not currently available to the public. The Index recommends that Serbia provide information accessible to the public to make reporting and identification of missing children possible. Early warning actions that create public engagement can be effective mechanisms to stop trafficking operations.

There are regulations in place that provide protocols of action to assist victims of trafficking. Protocols on social services and case management also apply. Serbia operates safe houses for victims of trafficking. These services allow for psycho-social support and counselling and long-term placement in foster care when needed. Such services, however, are limited in scale and do not provide nationwide coverage, which limits Serbia’s services score. Serbia has not yet developed quality standards for services for victims of trafficking. Furthermore, not all CSWs are equipped with expert capacity to manage trafficking cases and must rely on larger civil society organisations for expertise.
Next steps require the adoption of quality and financial standards for services created for child victims of trafficking.

With regard to the concerns of child trafficking, the Child Protection Index shows that Serbia did not “commission or sponsor any national research studies or surveys on child trafficking during the last 5 years”. Indispensable data required to introduce and manage much needed services is, therefore, lacking.

According to the Child Protection Index, 5 other countries in the region had better scores at this indicator related to child trafficking: Bosnia and Herzegovina, Bulgaria, Georgia, Moldova and Romania.
The **EU Progress Report for Serbia** acknowledges that “There is a need to organise assistance to children living and/or working on the street on a local level.” Also the document emphasises that “violence against children remains a serious concern. A new national strategy for the prevention of and protection of children from violence still needs to be developed. There is a need to align the legal framework and statistics with international standards on child abuse.”

The **Child Protection Index** also documents these concerns, making specific recommendations. Children living and/or working on the street are one of Serbia’s weakest areas, according to the Index scores. Serbia designates social services (CSWs) to work with and protect children found living or working on the street. However, when children are found begging on the streets it is likely that police authorities criminally prosecute them. The CPI Country Report recommends that Serbia adopt protocols that warrant social services as the main authority to engage with children living and/or working on the street.

According to the Child Protection Index, Serbia’s legal framework is aligned with the UNCRC with regards to the protection of children from all forms of violence. However, Serbia’s services and capacity scores are limited in comparison to the other dimensions of government action to prevent violence. The CPI Country Report recommends that Serbia create and implement a plan to monitor and evaluate services in accordance with licensing rules and quality standards. It also recommends that Serbia enhance its service provision with financial standards that can offer a more systematic approach to quality and budgeting.

On the same note, Serbia does not currently have a national strategy or specific policy goal to reduce economic exploitation of children. It is recommended that Serbia develop a national strategy for children that would specifically address and work toward limiting child labour. Without set provisions and
objectives, child labour may continue to slip down the priority list for government authorities or donors.

Serbia’s coordination efforts could increase to build appropriate alliances between various authorities and experts. The Labour Inspectorate enforces labour laws, including the prohibition against child labour. However, there are no defined cooperation protocols between the Labour Inspectorate offices and the child protection system to ensure that children in situations of economic exploitation receive adequate assistance. Serbia’s services score is also limited because there are no specialised services for children identified as victims of economic exploitation. Therefore, the CPI Country Report recommends that Serbia provides a protocol for coordination between Labour Inspectorates and social services to provide children with specific, expert assistance in cases of economic exploitation. Further work is also required to define services that address particular protection and recovery needs.

In terms of targeted services, Serbia operates three shelters for children living and/or working on the streets, but its capacity does not meet the needs. New efforts in some urban areas are underway to provide systematic and comprehensive support to children living and/or working on the street, as recommended also by Serbia’s Ombudsman. The CPI Country Report recommends that Serbia adopts protocols that set social services as the main authority to engage children living and/or working on the street. It is also recommended that Serbia energetically move forward to open and operate enough shelters to care for all children on the street, and establish rehabilitation and recovery actions to prevent re-entry into street life.

The Serbian government has not supported any information campaigns aiming to tackle child labour in the country. CPI experts had to reply with four “no” to the following question:

- „Does the State promote anti-child labour information campaigns targeted at: a) Children b) The Public c) Employers and potential employers d) The Parents?”

According to the Index, 4 other countries in the region promoted anti-child labour information campaigns: Albania, Kosovo*, Moldova and Romania.
CROSS-COMPARISON ON CHILDREN WITH DISABILITIES

The EU Progress Report for Serbia points out that “children with disabilities in large institutions face particular difficulties as regards access to education,” and includes recommendations on the topic: “Concerning the rights of persons with disabilities, the situation remains very difficult, in particular as regards access to services. […] Efforts are needed to increase the participation of persons with disabilities in education, and to implement a comprehensive plan on access to facilities for persons with disabilities, elderly people and social vulnerable people. Placement and treatment in social institutions of people with psychosocial and intellectual disabilities is still not regulated in accordance with international standards. Procedures for depriving people of their legal capacity and for assigning guardianship should be aligned with international standards.”

The Screening Report of the European Commission on Chapter 19 – Social policy and employment had previously mentioned that “The most frequent services currently are home help and care and day-care centres. 65 % of all municipalities in Serbia have some kinds of services for children with disabilities. However, although community-based services are considered as a priority, funding for these services remains unstable.”

The Child Protection Index country report shows that in comparison with other countries of the region Serbia does not have high rates of children separated from their parents nor numerous children living in publically-run residential institutions. However, more than 50 per cent of all children living in residential care are children with disability. Foster care rates are strong generally, but limited for children with disability. Domestic adoption rates are low and the rate of adoption for children with disability is zero. With such a landscape it is recommended that Serbia intensify efforts to deinstitutionalise children with disability and further develop community services and support to families of children with disability to prevent institutionalisation.
Regarding the services available to children with disabilities, the Child Protection Index gives an in-depth assessments and recommendations. It stresses that services for children with disability that offer inclusive environments for learning, play, rehabilitation and opportunity are limited in scale and outreach. In education, schools at pre-school and primary levels have not embraced inclusive settings for learning. Inclusive education is still at the very early stages of development. Serbia – however - has created a manual on inclusive education for school administrative bodies that offers guidance on school-level inclusive actions. Next steps require that Serbia build capacity to implement these directives: address physical barriers of access, increase teacher training and introduce special assistants for classroom settings, address parent and teacher concerns about inclusive environments, enrol children with disability into mainstream schools and establish individual education plans for children with disability. These actions require inclusive education experts, dedicated teams of school administrators and funding support through donors, municipalities and national level earmarks.

Services to extend care and rehabilitation for children with disability are limited. These services are provided in health facilities or at special schools dedicated to children with disability. Civil society organisations offer mobile and day care services for these children. It is recommended that Serbia develop and scale a variety of services for children with disability that respond to their need for education, rehabilitation and mainstream community engagement. Access to specialists such as psychologists, speech therapists, physical therapists, and play therapists is essential for a full and decent life for children with disability. These services should be created and supported based on quality standards and impact evidence and scaled to meet the needs of Serbia’s children. All services, including privately-run services, should undergo licensing and monitoring to verify that children have quality environments that meet their needs.
The **EU Progress Report for Serbia** highlights that “Administrative data are still not disaggregated to enable monitoring of vulnerable groups, particularly Roma and children with disabilities.”

With regard to the lack of data, the **CPI Country Report** recommends that Serbia collects and centralises data on the number of children with disability, disaggregated by age, gender and types of disability. There is a need for additional data on disability that would assist government in setting relevant policy and budgets to effectively serve children with disability. This database should be updated quarterly and connect with reliable and consistent local mechanisms to channel sub-national data to the central level. Serbia should authorise capacity and funding to collect and analyse child protection data, the prevalence of different sub-issues, and the outcomes of different services and programmes. Data management is also a component of accountability because, over time, data contributes towards building an understanding of the position of children from vulnerable groups and the impact of services.

The Child Protection Index shows that for the Article 23 “Does the state provide easy access to relevant centralised data (databases) to the public” and Article 33 of the UNCRC “Do state-sponsored independent bodies regularly monitor and assess the quality of rehabilitation services provided by private entities?” Serbia scores 0. Thus, data collection and evidence is lacking in Serbia when it comes to assessing the quality of child protection services and to their monitoring.
CONCLUSIONS

Serbia still has to put more efforts in tackling child trafficking and child labour issues, in enabling a more effective coordination within the child protection system, in providing better care for children with disabilities and in collecting relevant data and monitoring the child protection system parameters. It must do so in line with its international commitments, including the United Nations Convention on the Rights of the Child (which Serbia has signed and ratified), and within its integration process with the European Union.

For more detailed information on how Serbia can improve its child protection system, read the briefing of the Child Protection Index results and recommendations for Serbia available [here](http://www.childprotectionindex.org). Find more about the Child Protection Index at: [www.childprotectionindex.org](http://www.childprotectionindex.org)

RESOURCES

Serbia 2016 - Measuring government efforts to protect girls and boys by Jocelyn Penner Hall & Andy Guth: http://www.childprotectionindex.org/country/serbia


