



Child Rights Centre



Belgrade Centre  
for Human Rights



# SERBIA 2021 PROGRESS REPORT

## WRITTEN SUBMISSION FROM THE COALITION FOR MONITORING CHILD RIGHTS IN SERBIA

**Belgrade, April 2021**

**The Coalition for Monitoring Child Rights in the Republic of Serbia** (the Coalition) advocates for the promotion and protection of all rights of the child enshrined by the Convention on the Rights of the Child. The Coalition is consisted of five civil society organisations specialised in monitoring and reporting in different areas of human rights: [Child Rights Centre](#), Uzice Child Rights Centre, Belgrade Centre for Human Rights, ASTRA - Anti Trafficking Action, and Centre for Social Policy.

## Introduction

During 2020, the work of institutions on further improvement of child rights in Serbia was seriously disrupted, both due to the parliamentary elections and the postponement in the formation of the Government of the Republic of Serbia, and due to the COVID-19 pandemic, which further aggravated the situation of children, especially those from the most vulnerable groups - children with disabilities, migrant/refugee children, Roma children, children living and working in the streets, children with HIV/AIDS, children belonging to the LGBTI population, children from single-parent families and no-income or low-income families, etc. The newly-formed ministries have failed to ensure the work of certain advisory bodies whose functioning is important for monitoring and coordinating policies in the field of child rights (the Council for the Rights of the Child and the Council for Monitoring the Implementation of the Recommendations of the UN Human Rights Mechanism), but also to establish working groups for developing new strategies and for monitoring the implementation of newly-adopted strategies.

Both Action Plans for Chapters 23 and 24 are inconsistently applied and the set deadlines for a number of child rights related goals have not been respected or have been ignored. The recommendations provided by the United Nations (UN) Committee on the Rights of the Child have not been properly implemented even though it has been almost four years since their adoption.

There is still no regulated systematic data collection, which is a challenge in monitoring the exercise of child rights. The lack of reliable and comparable data has a negative impact on cross-sectoral cooperation, as well as on the creation of effective policies related to children. This problem would be solved by adopting the Strategy on the Rights of the Child, which would facilitate data collection and proper reporting.

The participation of children, as one of the main principles of the Convention on the Rights of the Child, is an important component of the realisation of child rights, which is recognised by the newly-adopted EU Strategy on the Rights of the Child. Members of the Child Rights Centre's DX Club [participated in the consultative process on drafting the EU Strategy on the Rights of the Child](#), which should be the practice also in our country when it comes to drafting and monitoring policies in the field of child rights.

## Normative Legal Framework

The comprehensive **Law on the Rights of the Child and Ombudsperson for Children** has still not been adopted, while the work on amendments to important laws, such as the Law on Family, the Law on Juvenile Offenders and Criminal Protection of Minors, the Law on Social Protection, etc. has stopped.

The adoption of such a comprehensive law would contribute to the harmonisation of the entire legal system related to children, better coordination of all sectors involved, and it would bring the existing legislative solutions in all sectoral laws in line with the solutions contained in this law. The draft law prepared by the Ministry of Labour, Employment, Veteran and Social Affairs that is currently available to the public provides for the establishment of Ombudsperson for Children mandated to specifically deal with child rights violations. This body should be able to receive, investigate and address complaints submitted by children in a child-sensitive manner and it should be vested with sufficient human, financial and technical resources.

Drafting of the **Family Law** was initiated in 2018, but no progress has been made so far. This law should better operationalize the principles of child participation and the best interests of the child, family-oriented solutions based on international standards (in particular UN Guidelines for the Alternative Care of Children), introduce an explicit ban of corporal punishment of children in all settings and elimination of exception that can lead to child marriage.

The process of drafting the new **Law on Juvenile Offenders and Protection of Minors in Criminal Proceedings (Juvenile Justice Law)** also started in 2018, but no progress has been made so far. Amending of this law is crucial in order to ensure transparent financial procedures and implementation of diversionary mechanisms, alternatives to detention and support measures for child victims and witnesses in criminal proceedings at the national level.

The working groups established to draft all the above-mentioned laws did not involve the participation of civil society organisations even though they could significantly contribute to the quality of the laws and provide useful information on their application in practice.

## National Children Policy and Coordination of Child Rights Implementation

**The National Action Plan for Children** expired in 2015. This document was not comprehensive because it did not cover all areas of the rights of the child, which was its serious limitation. Although in April 2018 the Minister of Labour, Employment, Veteran and Social Affairs issued a decision to establish a working group for developing a new National Action Plan for Children, the working group has not yet formally commenced its work or determined the scope of this plan and timeframe of its development. No meetings have been held so far and no clear preparation strategy has been developed.

It is worrying that **the Child Rights Council**, as the only cross-sectoral body, consisted of representatives from relevant line ministries, civil society organisations and independent experts, functioning at the national level, did not hold a single meeting in 2020, and since the formation of the Government of the Republic of Serbia, no members have been elected for the new Council.

**The Council for Monitoring the Implementation of the Recommendations of the UN Human Rights Mechanism** did not meet in 2020. The abolition of the Office for Human and Minority Rights, within which the Council was established, calls into question the future functioning of the Council. Currently, there is only a promise from the Ministry of Human and Minority Rights and Social Dialogue that this body will be re-established.

**The Juvenile Justice Council**, re-established in 2018 by the Ministry of Justice and the Supreme Court of Cassation, held regular meetings throughout 2020, which is a positive step forward. However, this body needs to be further strengthened to properly initiate and monitor juvenile justice reforms and provide decision-makers with specific strategic recommendations for future system reforms in relation to both children as offenders and as victims/witnesses of crime.

In May 2020, the adoption<sup>1</sup> of the [Strategy for Prevention and Protection of Children from Violence for the period 2020-2023](#), with the accompanying [Action Plan for 2020 and 2021](#) is an important step in the process of strategic improvement of the protection of children from violence in Serbia. However, the Working Group for the implementation and monitoring of the Strategy has not yet been established, nor have civil society organisations been appointed to participate in monitoring and reporting on implementation, which makes this document just a dead letter.

In July 2020, the [National Strategy for the Exercise of the Rights of Victims and Witnesses of Crime in the Republic of Serbia for the period 2020-2025](#) was adopted along with the accompanying [Action Plan for the Implementation of the National Strategy](#); however, the Coordination Body for Support to Victims and Witnesses, as an occasional working body of the Government, has not yet been established, which makes its implementation questionable.

[The Action Plan for Chapter 23](#) provides an overview of the situation of child rights in the Republic of Serbia and defines activities that will be carried out to promote child rights, such as strengthening the Council for the Rights of the Child, the Council for Minors and other activities in the field of social protection, child-friendly justice, etc. However, there is a significant delay in the implementation of regulatory framework and harmonisation, and the Law on Amendments to the Law on Juvenile Offenders and Criminal Protection of Minors has not been adopted, although its adoption was planned for the last quarter of 2020.

## Specific Areas of Concern

### Violence against Children

The child protection system was already struggling to prevent and respond to violence against children, and now a global pandemic has both made the problem worse and tied the hands of those meant to protect those at risk. As Serbia adopted the prevention and control measures to contain COVID-19, many vital violence prevention and response services were suspended or interrupted as a result. Many professionals working in the child protection system reported disruptions in case management, referral services and home visits by social workers to children and women at risk of abuse.

Violence against children (VAC) in different settings and a lack of uniform implementation of defined policies continue to be a major issue.

The new **Law on Prevention of Domestic Violence**, which entered into force in 2017, has been implemented in practice but a stronger emphasis should be put on protection of children as victims and witnesses of domestic violence. The fragmented capacity building of professionals, provided by the Judicial Academy, has not focused on the aspect of the rights of the child and provision of these children with adequate support.

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<sup>1</sup> See more at <https://cpd.org.rs/strategy-for-prevention-and-protection-of-children-from-violence-for-the-period-2020-2023-adopted/?lang=en>

In May 2020, the adoption<sup>2</sup> of the [Strategy for Prevention and Protection of Children from Violence for the period 2020-2023](#), with the accompanying [Action Plan for 2020 and 2021](#) is an important step in the process of strategic improvement of the protection of children from violence in Serbia. Since the Working Group for the implementation and monitoring of the Strategy has not yet been established, and civil society organisations have not been appointed to participate in monitoring and reporting on the implementation, its implementation has been seriously delayed. The mandatory implementation of VAC related general and special protocols and monitoring of their implementation at both national and local level is needed and all professionals dealing with child victims of violence should get appropriate training in a cross-sectoral manner.

**Corporal punishment of children at home** in Serbia is still not legally prohibited. There is an urgent need to take measures to explicitly prohibit, by law, corporal punishment of children in family. Also, measures should be taken at different levels to promote positive, non-violent and participatory ways of educating and disciplining a child through public awareness campaigns on the harmful effects of corporal punishment on children. State authorities should develop and fund programmes for strengthening parents' competencies for fulfilling parenting responsibilities and resolving conflict situations in a family without violence. The Strategy on the Prevention and Protection of Children recognises the importance of introducing an explicit ban on corporal punishment in all settings and expressly qualifies corporal punishment aimed at correcting or controlling a child's behavior as child abuse, but its implementation has been seriously delayed.

No significant progress has been made 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. Serbia does not have a system in place to monitor child marriages, and no case records are kept based on ethnicity, although research shows that child marriages are present and that Roma girls in particular are widely exposed to this harmful practice. Additional resources need to be allocated and a broad campaign should be designed and continuously carried out at the national level with the aim of raising awareness of the harmfulness of child marriage. In addition, support measures should be devised and continuously implemented for girls and women victims of child marriages and their children.

## Overview of major anti-trafficking trends and responses

Trafficking in human beings (THB) in Serbia remains a crime largely invisible to the public and officials, with the low number of identified victims, stagnating or decreasing number of investigations and convictions, but still highly lucrative to criminals. With questionable quality, efficiency, and sustainability of the support to the victims, long and exhaustive trials, and mild penalty policies, it appears that the odds are not in favour of the victims, and can only discourage them. Children in risk, or victims of THB are in an

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<sup>2</sup> See more at <https://cpd.org.rs/strategy-for-prevention-and-protection-of-children-from-violence-for-the-period-2020-2023-adopted/?lang=en>

even worse position – scales and accessibility of services for children are very limited, in scope, sustainability and quality.

The Standard Operating Procedures for Treatment of Victims of Trafficking in Human Beings (SOP) have been adopted with the aim to coordinate national activities for combating human trafficking and harmonise actions of the competent state bodies and other organisations and institutions relevant for the fight against human trafficking. An extensive process of consultation for the purpose of updating and improving the SOP was conducted in 2019 and 2020, however, without any concrete outcome. Despite the announcements from the Office for Coordination of Anti-trafficking Activities that the SOP will be made obligatory instead of recommended, more than a year later, the SOP still has the same status.

As for the specific strategic framework relevant for combating THB, the *Strategy for Prevention and Combating of Trafficking in Human Beings, Especially Women and Children, and Protection of Victims* (2017-2022) is in the final two years of its implementation. The Action Plan for 2021-2022 has still not been developed.

As regards the previous input, one of the major objections is a lack of operationalisation and concretisation of cooperation among the key state actors in prevention and combating of THB. The signing of Memoranda of Understanding is just a beginning, and if they are not followed up with more detail by-laws, regulations, instructions on procedures etc. they will remain just a piece of paper.

The pandemic has deepened the existing problems and women and children who are otherwise at risk of sexual exploitation are now more vulnerable, while men are at higher risk of labour exploitation. When the state of emergency was declared (March 2020) it had the strongest impact on the ones who are the weakest – especially children. The social protection system reacted only by shutting down almost completely. One of the major recommendations for all of the systems, social protection in particular, is that there MUST be a crisis plan carefully developed for the situations such as pandemic or other. Most vulnerable individuals and groups, children in particular, may not suffer and must not be left with no support from the system.

Serbia still has neither a **specialised shelter for urgent accommodation** nor **specialised child support programmes** for children victims of trafficking in human beings. Specialised programmes of support and protection tailored to the needs of children victims should be developed and children should be provided with adequate accommodation. It is also necessary to continue investing into resources through enhancing the capacities, skills and knowledge of employees of relevant institutions for more successful outcomes in the field of prevention and combating trafficking in human beings, especially children, improve cross-sectoral cooperation and implementation of the Standard Operating Procedures for Treatment of Victims of Trafficking in Human Beings, based on the experiences from practice and learning through concrete case studies. For the past 9 months, the only state shelter for victims of human trafficking is not in operation (for adult female victims and girls older than 16).

#### **Drop-in shelters exposing more children in risk – not enough of shelters, low coverage**

“Mapping of social protection and material support services under the jurisdiction of local self-government units” in the Republic of Serbia states that among the users of the Drop-in shelter, the share of girls in the age group 6–14 is 71.5%. The data is disturbing, having in mind the numerous risks to which this already vulnerable group is exposed, i. e. human trafficking, labour exploitation, forced marriages and

other forms of violence and child abuse. The record set by the Belgrade Drop-in shelter, at the beginning of October 2020 is especially alarming – in a day, 112 children addressed this organisation! In previous years, that number was between 60-65 at this time of year. The situation is aggravated by the fact that more and more users are 5 to 15 years old, and that the shelter simply does not have the capacity to respond to this number of requests in one day, so children who are not in urgent need are asked to return the next day.

This form of shelter is available only in Belgrade and Novi Sad.

The 2020 Statistical Report shows that the Centre for the Protection of Victims of Trafficking in Human Beings identified 146 presumed victims of trafficking in human beings, including **57** formally identified **victims of human trafficking**. There were **24 minor victims (42%)** and 33 adult victims. As in previous years, a large percentage of victims were females, (65%). Almost **half of all female (49%) victims were girls**. The most common type of exploitation was sexual exploitation - 37%, followed by labour (21%) and multiple (16%) exploitation. 91% of identified victims are Serbian (51), exploited in Serbia. There were five foreign victims, one from each of the counties: Pakistan, Congo, Germany, Croatia, and Northern Macedonia.

After almost 10 years of work, no specific indicators for the formal identification of trafficking victims have been developed for the Centre for the Protection of Victims of Trafficking in Human Beings.

In the meantime, in the EU, in addition to the EU Security Union Strategy, the **EU strategy for a more effective fight against child sexual abuse**<sup>3</sup> was also adopted (July 2020). The key issues raised in the debating on the document were that 89% of known URLs containing child sexual abuse material were hosted in Europe<sup>4</sup>, making the continent an infamous “hub” for the child sexual abuse content. The COVID-19 pandemic only added to the situation difficulty; switching to online work and schooling makes it even easier for predators to approach children. Europol named its June 2020 report “*Exploiting Isolation*”<sup>5</sup> and observed significant increases in the activity relating to child sexual abuse and exploitation, both on the surface web and the dark web, during the COVID-19 lockdown period. The Commission stated that **EU strategy for a more effective fight against child sexual abuse** was closely coordinated with the preparation and implementation of other relevant strategies, including on the rights of the child, on victims’ rights, on trafficking in human beings, on security union and on gender equality.

Although the challenges are quite similar for Serbia and other European countries, unfortunately, Serbia is lagging behind the EU trends both in policy shaping and implementation.

One of the key recommendations is to build the capacities and networking of various actors in the field of online child exploitation and to strengthen multi-agency cooperation regarding online and offline protection of children at high risk of abuse and exploitation.

<sup>3</sup> [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20200724\\_com-2020-607-commission-communication\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20200724_com-2020-607-commission-communication_en.pdf)

<sup>4</sup> IWF Annual Report 2020: [https://www.iwf.org.uk/sites/default/files/reports/2020-04/IWF\\_Annual\\_Report\\_2020\\_Low-res-Digital\\_AW\\_6mb.pdf](https://www.iwf.org.uk/sites/default/files/reports/2020-04/IWF_Annual_Report_2020_Low-res-Digital_AW_6mb.pdf)

<sup>5</sup> <https://www.europol.europa.eu/publications-documents/exploiting-isolation-offenders-and-victims-of-online-child-sexual-abuse-during-covid-19-pandemic>

## Refugee Children

The Law on Asylum and Temporary Protection, adopted in 2018, brought significant innovations regarding the protection of the rights of the child in the asylum procedure. Despite the fact that the legal solutions are largely in line with international standards, Serbia has still not enabled the implementation of certain legal provisions that would lead to the establishment of a child protection system in its territory. The observed problems with the treatment of unaccompanied and separated children include inadequate guardianship throughout the country as well as insufficient number of adequate alternative childcare solutions. The procedure for assigning a temporary guardian often takes several weeks and during this time children stay in an asylum or reception centre. The quality of the service provided by social welfare centres in asylum and/or reception centres is often insufficient due to understaffing and heavy workload of these professionals. Children are still placed in asylum centres together with adults. During 2020, the Commissariat for Refugees and Migration designated two asylum centres (AC in Bogovađa and AC in Sjenica) as centres where only unaccompanied and separated children will be accommodated. However, these centres are not adapted to the needs of children.

The state must provide for special accommodation facilities that fully respond to the needs of unaccompanied and separated children. Further, the state must take the necessary measures to provide alternative care for children deprived of family environment and an adequate guardianship system. Then, the practice of registering unaccompanied and separated children by the Ministry of Interior officers without the presence of a temporary guardian must urgently stop and the provisions of the Law on Asylum and Temporary Protection as well as the Family Law regulating this issue must be applied.

The COVID-19 pandemic had the greatest impact on education, which has become inaccessible to many children due to the transition to online learning. In addition, children had different restrictions on movement, depending on the institution in which they were placed during and after the state of emergency.

## Access to benefits/services during COVID-19

Universal emergency cash assistance was distributed to all adults in Serbia, covering more than 6.2 million people, although the period from policy proposal to payment was extremely long in COVID-19 crisis conditions. Unfortunately, the assistance was distributed after the lockdown had ended and not when most needed. The analysis of the responses to the COVID-19 crisis shows that the implemented measures did not focus particularly on child poverty in Serbia. In fact, the analysis shows that families with children in Serbia received less support compared to other households, *since one-off assistance was provided only to adults and pensioners*. In addition, families with children were not automatically granted universal cash benefits, but had to apply. Although the application procedure is extremely simple and efficient, it does not diminish the fact that poor families with children, recipients of child allowance, are not perceived as vulnerable, in spite of rigorous means testing. Finally, children and adults with disabilities had no targeted cash or in-kind benefits, despite higher levels of vulnerability during the crisis.

In very general terms, there was too little focus, on ensuring access to quality social services for vulnerable individuals and households, whether in the home, the community or in residential care. In terms of social services, the existing sub-optimal systems became even less accessible during the crisis, with inevitable

results in terms of increased social exclusion of existing vulnerable groups and inadequate responses to those made more vulnerable during the crisis. Most day care facilities stopped functioning and the extent to which service users received alternative care and support, or even regular monitoring, appears to have been sketchy and uneven. Some home care services continued to function although rules preventing traveling meant that some home careers were unable to work. It took a long time, however, for parents with children with disabilities, including children with autism, to be allowed to undertake short walks outside of the home. Extremely poor substandard Roma settlements with limited access to infrastructure (clean water, sewage and electricity) were mostly supported by donors through food and hygienic packages. NGOs and Roma activists pressured national and local governments to provide basic necessities, water cisterns and to reconnect electricity supply, often with the support of EU funds.

## Education for Children

The education of children in the situation of coronavirus pandemic was accompanied by numerous difficulties for pupils, teachers and parents. Despite the objective difficulties and the initially relatively quick response of the Ministry of Education after the declaration of the state of emergency, education was not available to every child in Serbia.

One of the most significant obstacles is the insufficient training of teachers for using online platforms and learning tools. The organisation of classes remained confusing, with frequently overlapping and shortened online and regular classes, which has resulted in a discontinuity in education and raised a reasonable doubt in the implementation of the planned curricula. The educational content and obligations remained inconsistent, the pupils did not receive adequate materials and support for mastering the curriculum, and the teachers were overburdened with repeating the educational content and out-of-school communication with pupils and parents.

A special problem is the inclusion of pupils from vulnerable groups in the education system and a new model of distance learning, especially children from informal settlements and children of persons accommodated in centres for migrants and asylum seekers. Children living in informal settlements are often unable to attend classes because they do not have electricity or internet access. The data show that only 64.4% of households in Serbia own a computer or tablet, and 25% of households do not have internet access. The data are even more discouraging in case of Roma households, since only 26.4% of them have a computer or tablet. Classes for children with disabilities were not organised in all schools during the state of emergency, and every seventh pupil could not attend classes according to the individual educational plan during the state of emergency. In addition, children with disabilities living in institutions are practically denied access to education because since the beginning of the pandemic these institutions have been working in a special mode in order to prevent the spread of the virus.

In order to gain insight into an overall impact of the coronavirus pandemic on the exercise of the right to education, the Ministry of Education, Science and Technological Development should analyse the effects of the organisation and implementation of teaching process.

## Education on Human/Child Rights

Education on the rights of a child is not part of regular educational system for all children. It is necessary to change the status of the subject Civic Education from compulsory elective to compulsory subject at all

levels of education, from pre-school to secondary education, accessible to all children without exception. It is also necessary to review and redefine the method of professional training of civic education teachers and undertake support measures for teachers to apply child rights education in the teaching of their subjects through appropriate training and development of supportive educational materials and guides. Children are usually informed about their rights through informal education, which is implemented as part of the project activities of CSOs.

## Justice for Children

**Juvenile Offenders** - There are still no adequate alternative measures to pre-trial detention, diversionary measures are scarcely implemented, and there are no adequate programmes at the community level for work with juvenile offenders or with children under 14 who are not criminally responsible. All this constitutes a violation of international standards and a cause for concern. There have been various project initiatives and significant donor, in particular EU, support, but a sustainable, systemic solution that would be in line with the relevant international standards is yet to be found.

In addition, [the declaration of the state of emergency in Serbia](#) and [the introduction of measures during the state of emergency](#) adversely affected **juveniles deprived of their liberty**, both those in detention or those serving custodial sentences in social welfare institutions. They faced complete confinement and isolation. After the introduction of epidemiological measures, the Minister responsible for social protection issued an order prohibiting the admission of new beneficiaries or the beneficiaries who were outside social protection institutions. Visits and receipt of consignments were also prohibited, and it was not possible to leave the facility. Transitioning to online teaching has led to disruption of attendance in social welfare institutions, given the inadequate technical equipment. The feeling of isolation, accompanied with fear and care for the loved ones, as well as the loss of daily routines due to the interruption of school, work, sports and cultural and entertaining activities, adversely affected the psychosocial state of children in institutions. The anti-epidemic measures in district prisons and detention units were the same as measures in social welfare institutions. The fact that the interruption of the education of minors in detention is present also outside the framework of introduced measures is worrying. However, they can prepare for exams or tests on their own. In addition, there are no organised classes for primary school pupils, which is mandatory by law.

**Children Victims and Witnesses of Crime** – A step forward has been made also by adopting the [National Strategy for the Exercise of the Rights of Victims and Witnesses of Crime in the Republic of Serbia for the period 2020-2025](#) and the accompanying [Action Plan for the Implementation of the National Strategy](#), whose implementation has not yet begun. Children are recognised as a particularly vulnerable category of victims and special measures are envisaged for them, such as the possibility of audio-visual recording of interviews with the child and the admissibility of such recording in evidentiary procedure, in accordance with law, appointing a temporary representative where necessary and appointing an attorney to ensure the exercise of child's right to legal aid and representation. Although these guarantees have existed since the adoption of the Law on Juvenile Offenders and Criminal Protection of Minors, problems in their application have been noticed in practice. Therefore, the Strategy stresses that in the coming period it is necessary to consider consistent application of the regulatory framework in practice; identify possible defects and activities to overcome them; adopt amendments to the Law on Juvenile Offenders and Criminal Protection of Minors; and continuously monitor the implementation of protection and support

measures for child victims in practice. The Strategy envisages the establishment of the Coordination Body for Support to Victims and Witnesses, within 30 days of its adoption, for the needs of coordination, monitoring and improvement of the victim and witness support network. However, the implementation of the Strategy has not begun.

**Children in Civil Proceedings** – Certain improvements were made through operationalisation of international principles and standards, resulting in development of sets of guidelines for professionals in judiciary and social protection systems. In that context, it is necessary to provide continuous and comprehensive [capacity building](#) to family law judges, lawyers and professionals working in centres for social welfare to deal with children in family law cases, especially in high-conflict divorce cases. Numerous studies show that children whose parents are in a high-conflict divorce in the long run have the same difficulties as children who are victims of physical abuse and neglect. In addition, high-conflict divorces are usually accompanied by alienation as a serious form of child abuse. Records on high-conflict divorces in Serbia are not kept, but it is known that every third marriage is divorced, with the number of divorces increasing every year.

**Children in Detention** – The research [Child-Friendly Justice – The Perspectives of Children and Youth](#), conducted to determine the opinions of children and youth about the judicial system and the level of its adaptation to children and youth in accordance with the adopted standards of child-friendly justice defined by international and national documents, indicates some shortcomings in social welfare institutions and correctional institutions. The research, based on the statements of children from these institutions, shows that professionals often do not address children in a language that is sufficiently adjusted to the child's age. Nearly half of the respondents from the institutions indicate that they are not satisfied or are minimally satisfied with the way the information was provided to them and report that they were not able to fully understand it. The research reveals that there are often many more people than necessary present in the room during interrogation. One third of the respondents believe that no one they trusted was present during their hearing. Also, two thirds of the respondents believe that the premises in which the interrogation takes place are not adapted to children and young people.

## Ratification of the Optional Protocol to the Convention on the Rights of the Child on a Communication Procedure

Even though the Republic of Serbia was one of the first states to sign the Third Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Protocol has not been ratified. There is no legal or factual reason why a signed international document should not be ratified. This important document enables children and their representatives, for the first time, to have the opportunity to address a complaint to an international body - the Committee on the Rights of the Child, when they fail to exercise a certain right at the national level.