

# Civil Society Alternative Report to the Committee on the Rights of the Child

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## Serbia

### Child Rights Centre Serbia

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This report is public.



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# Acronyms and Abbreviations

<b>ASTRA</b>	Anti-Trafficking Action
<b>BGC</b>	Belgrade Centre for Human Rights
<b>CA</b>	Child Allowance
<b>Centre</b>	Child Rights Centre
<b>CO</b>	Concluding Observations
<b>CPC</b>	Criminal Proceedings Code
<b>CRIA</b>	Child Rights Impact Assessment
<b>CRC</b>	Convention on the Rights of the Child
<b>CRC Committee</b>	Committee on the Rights of the Child
<b>CSO</b>	Civil Society Organisation
<b>CSP</b>	Centre for Social Policy
<b>CSW</b>	Centre for Social Work
<b>EU</b>	European Union
<b>FSA</b>	Financial Social Assistance
<b>MACR</b>	Minimum Age of Criminal Responsibility
<b>MICS</b>	Multiple Indicator Cluster Survey
<b>MODS</b>	Network of Organisations for Children in Serbia
<b>NPM</b>	National Preventive Mechanism
<b>OPAC</b>	Optional Protocol to the CRC on the Involvement of Children in Armed Conflict
<b>OPIC</b>	Optional Protocol to the CRC on a Communications Procedure
<b>OPSC</b>	Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography
<b>RISP</b>	Republic Institute for Social Protection
<b>RS</b>	Republic of Serbia
<b>SORS</b>	Statistical Office of the Republic of Serbia
<b>SP</b>	State Party
<b>UCPD</b>	Uzice Child Rights Centre
<b>VAC</b>	Violence Against Children

# About the Coalition

The Coalition for Monitoring the Rights of the Child in Serbia (the Coalition) advocates for promotion and protection of children's rights under the Convention on the Rights of the Child (CRC). It is consisted of five civil society organisations (CSOs) specialized in different areas: Child Rights Centre (Centre), Uzice Child Rights Centre (UCPD), ASTRA - Anti Trafficking Action, Belgrade Centre for Human Rights (BGC) and Centre for Social Policy (CSP).

The first draft of this report was developed through consultations in early 2025, coordinated by Network of Organisations for Children in Serbia (MODS), with contributions from several organisations, including:

- Children and Youth Support Organisation
- Psychosocial Innovation Network – PIN
- Children and Youth Group "Indigo"
- KidHub
- Mental Disability Rights Initiative - Serbia
- Creative Pedagogy
- Support to Family "Sidro" Kragujevac

## Acknowledgments

We extend our heartfelt gratitude to everyone who contributed, whether by submitting evidence, attending thematic sessions, reviewing draft texts and participating in other ways throughout the consultative process. We are especially thankful to children from the Children's Information and Cultural Centre (Club DX), whose active participation enriched the report. The time and effort dedicated by so many individuals reflect the deep commitment across civil society to our shared goal of achieving the full implementation of the CRC in Serbia.

Monitoring process was continuously supported by UNICEF Serbia, whose expertise and resources were essential for tracking Concluding Observations (COs) implementation. The Coalition expresses its warm gratitude to UNICEF Serbia for support and unwavering commitment to advancing children's rights in partnership with civil society.

# Introduction

Due to the 10,000-word limit set by the Committee on the Rights of the Child (CRC Committee), this report focuses on priority areas identified during the consultation process, with recommendations listed in Annex 1. All information is accurate as of 20 February 2025.

## Methodology

Based on continuous monitoring of children's rights since 2017, this report uses data from an online platform tracking the 2017 COs,<sup>1</sup> linked with child-related recommendations from other human rights mechanisms and Sustainable Development Goals. The platform, updated regularly, enables CSOs to assess progress. A child-friendly version ensures children's participation in the monitoring process.

The report incorporates inputs from four thematic sessions, contributions from 12 organisations and additional analyses. It also reflects perspectives from 119 children in 11 workshops, a national online survey, UNICEF's U-Report, ensuring broad participation of children nationwide. Children's voices, highlighted in blue, reflect their direct input from consultations.

## General Remarks

### Systemic Shortcomings

Since 2017, children's rights in Serbia have largely stagnated or regressed. While progress has been made in reducing Roma child mortality, improving access to healthcare for Roma mothers and children, developing a registry for children with disabilities, expanding mental health support and strengthening responses to violence, children's rights remain overlooked in government decision-making.

Despite publishing the COs online, the government failed to disseminate them broadly, create a child-friendly version or initiate public debate on implementation.

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<sup>1</sup> <http://www.kpdpreporuke.cpd.org.rs/?fbclid=IwAR36Jkhhx8kkaWt24K2Bexoz4O3f3bXRnCtbvTvuWut8p-jfVLALdy5eB6k>. The platform was developed in partnership with UNICEF Serbia.

While a monitoring plan was developed, claims of progress remain unsubstantiated, with little tangible advancements in 2023 and 2024, indicated a systemic failure to translate commitments into action.

Key child-related laws have remained unadopted despite inclusion in government work plans (2022-2024). Adopted strategies lack action plans, rendering them ineffective. Weak accountability, political instability and frequent early elections have further eroded public trust and institutional stability,<sup>2</sup> hindering long-term strategies for children.

## Structural Barriers

A major issue is the gap between legislation and enforcement, worsened by inadequate financial investment, with many laws stating they "require no additional funding". Underfunding in essential services remains a critical concern, including in poverty reduction, prevention of violence and child offending and strengthening child protection professions.

Since 2013, staffing in Centres for Social Welfare (CSWs) has significantly declined, violating regulations and straining services.<sup>3</sup> Overburdened professionals responsible for children at risk struggle to fulfil their responsibility. Political interference in social welfare and education has led to unqualified party-affiliated individuals being appointed to leadership roles, without transparent and public selection processes, often in "acting" status for years, contradicting labour laws. This politicisation compromises professionalism, integrity and service quality.

## The May 2023 Tragedies

The weaknesses of child protection system were exposed by tragic events in May 2023. A 13-year-old boy killed nine children and one adult in a Belgrade primary school, injuring many others. Another mass shooting followed next day, killing nine persons and wounded twelve. These events revealed gaps in school violence prevention, early identification of mental health issues, cross-sector coordination and victim support.

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<sup>2</sup> EU Progress Report, 2024, p. 22.

<sup>3</sup> <https://www.zavodsz.gov.rs/media/2572/izvestaj-o-radu-csr-u-2022-godini.pdf>.

In 2024, public frustration deepened following a train station concrete canopy collapse in Novi Sad, killing fifteen persons and severely injuring two others. These tragedies sparked mass protests across 200 towns, led by university students. Many children and teachers joined the demonstrations, leading to the blockade of educational institutions.<sup>4</sup> Despite some judicial proceedings initiated, the root causes remain unaddressed.

## Persistent Inequality

There is a persistent gap between challenges faced by all children and those from vulnerable groups – Roma children, children with disabilities, in alternative care, justice system and on the move. They face systemic discrimination, poverty, exclusion and lack of access to quality education, healthcare and justice, perpetuating lifelong disadvantages.

## Escalating Violence

While this report covers a longer period, current events expose ongoing systemic negligence. Protests by students, pupils, teachers, parents and citizens have created a new context for analysing children's rights and their synergy is at an exceptionally high level. Children's awareness of their rights, participation and freedom of expression is not only growing but also reshaping societal views on childhood, child capacities and dignity.

We urge the CRC Committee to reflect these concerns in its COs and call on the government to demonstrate genuine commitment by engaging experts, civil society and children, ensuring accountability, transparency and adequate resources to translate commitments into measurable action. Safeguarding children's rights must become a national priority to prevent further systemic decline and uphold Serbia's international obligations.

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<sup>4</sup> [https://en.wikipedia.org/wiki/2024-2025\\_Serbian\\_anti-corruption\\_protests](https://en.wikipedia.org/wiki/2024-2025_Serbian_anti-corruption_protests).



# Key Areas of Concern

## 1. General Measures of Implementation

### Legislation

The legal framework for children's rights remains inconsistent, with legal gaps and uncertainty. A comprehensive review is needed to align laws with international standards, as implementation is neither full nor uniform.

The long-awaited Law on the Rights of the Child, which could improve intersectoral coordination, align legislation and establish a Children's Ombudsperson, remains unadopted. It should mandate authorities to ensure children's participation and regularly assess their best interests in decision-making, prohibit all forms of violence, recognise children's right to a healthy environment, safeguard civil rights and protect vulnerable groups, including child refugees and those below the minimum age of criminal responsibility (MACR).

Key child-related laws, including Family Law,<sup>5</sup> Law on Child Offenders and Child Protection in Criminal Proceedings<sup>6</sup> ("the Child Justice Law"<sup>7</sup>) and Social Welfare Law, have been repeatedly listed for amendment in successive government work plans but remain unchanged.

### Comprehensive Policy and Strategy

Serbia still lacks comprehensive strategy for children's rights, as the National Action Plan for Children expired in 2015. A new state policy is needed to address all aspects of children's rights, guide budget allocation and ensure alignment with international standards.

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<sup>5</sup> A working group for amending the Family Law was established in 2021.

<sup>6</sup> The draft law was submitted to European Commission for review of its alignment with international standards in 2022. No draft has been produced since.

<sup>7</sup> This law is commonly referred to as the "Juvenile Justice Law". In line with the recommended changes in terminology regarding child offenders, as outlined in General Comment No. 24, this practice is gradually being changed, hence, "child justice" is used instead of "juvenile justice".

## Coordination

Serbia lacks a dedicated national body for children's rights, leading to fragmentation across sectors and no clear accountability. This issue worsened when the ministry for social welfare split into two: one overseeing institutions for children, and another responsible for CSWs, foster care and family law matters. This division has created confusion and inefficiencies, with ministries often deflecting accountability, hindering coordinated protection. CSW case managers, crucial in coordination of child protection of children at risk, need stronger support.

The National Assembly's Committee on Children's Rights is the only formal body addressing children's rights. While more active in 2024, holding four sessions, its work is constrained by political interference and disengagement.

The Government's Council for Children's Rights has not convened since October 2022.<sup>8</sup> Each government change dissolves the Council, causing delays in its reconstitution. Over two decades, it has functioned inconsistently, lacking a professional mandate, decision-making authority and operational continuity. Even when sessions occur, decisions rarely lead to action. It lacks human and technical resources, relying on *ad hoc* support from ministries, with only one staff member managing its operations. This limits its effectiveness and further weakens progress in advancing children's rights.

## Allocation of Resources

Serbia has partially implemented the recommendation on tracking child-related funding. Budget classification for children and families remains limited to *Class 040 (Family and Children)* under *Social Protection* and *Education* within the functional classification system. Implementation challenges persist, particularly at the local level, as municipalities often fail to separate expenditures by class or do so inaccurately.

Despite programme-based budgeting since 2015, tracking mechanism remains weak, particularly at the local level. The Standing Conference of Towns and Municipalities proposed improvements, with detailed performance indicators to track adequacy, efficiency and equity, but the Ministry of Finance has not yet adopted them.

No mechanisms exist to monitor and evaluate whether budget allocations for CRC implementation are adequate and fair, and the Child Rights Council has not engaged in budget evaluation, further weakening oversight.

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<sup>8</sup> <https://www.savetzapravadeteta.gov.rs/>, last accessed on 13 February 2025.

Participatory budgeting is inconsistent, lacking structured public dialogue or child-inclusive budget planning and occurring sporadically at the local level. Budgetary decisions rarely consider child rights indicators, and new laws and strategies are often adopted without dedicated funding, relying instead on donor support. Without systematic evaluation of how budgetary decisions impact children, inequalities persist, highlighting the failure to integrate children's rights into fiscal policies.

## Data Collection

Serbia lacks a systematic data collection system on children, with fragmented sources using inconsistent methodologies, making analysis difficult. Each sector maintains its own database, much of which is not publicly available. Obstacles exist in collecting data on national and ethnic origin. Research remains fragmented, donor-driven and project-based rather than comprehensive.

Some progress has been made in data collection on children with disabilities at municipal and national levels. The Register of children with disabilities,<sup>9</sup> operational since mid-2022, recorded only 3,418 children by March 2024 – far below the 10,000 receiving disability-related care allowances<sup>10</sup> and only 25.9% of the 13,136 children registered by CSWs in 2022.<sup>11</sup>

The Republic Institute of Social Protection (RISP) last published comprehensive reports in 2022,<sup>12</sup> with several 2023 reports missing, including those on CSWs and residential institutions. The only 2023 report, *Children in the Social Protection System 2023*,<sup>13</sup> largely repeats 2021-2022 data due to incomplete and invalid data collection. Key sections, including indicators on violence, behavioural issues, family crisis and child protection expenditures, lack updates, due to invalid or incomplete data collection from CSWs in 2023.

## Access to Justice and Remedies

Children face significant barriers in accessing justice due to complex legal procedures, lack of awareness of their rights and available services. Many professionals across sectors are not trained to effectively engage with children. These barriers

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9 Registry of Children with Disabilities: <https://www.batut.org.rs/index.php?content=2805>.

10 <http://devinfo.stat.gov.rs/diSrbija/diHome.aspx>; <http://www.kpdpreporuke.cpd.org.rs>.

11 <https://www.zavodsz.gov.rs/media/2883/deo-izveštaja-deca-u-ssz-2023-1311docx.pdf>.

12 <https://www.zavodsz.gov.rs>.

13 <https://www.zavodsz.gov.rs/media/2883/deo-izveštaja-deca-u-ssz-2023-1311docx.pdf>.

are even greater for vulnerable children, who face additional discrimination based on gender, ethnicity, language and socioeconomic status.

Despite signing the Optional Protocol to the CRC on a Communications Procedure (OPIC) in 2012, it has yet to be ratified. Upon ratification, awareness campaigns should be launched among children, caregivers and professionals, and trainings for free legal aid attorneys should be implemented to ensure children receive adequate support to file complaints.

## Independent Monitoring

There is no child-specific impact assessment or systematic monitoring of policies affecting children's rights.

Despite the Law on the Protector of Citizens, the institution fails to comply with the Paris Principles and General Comment No. 2, as the complaint procedure remains inaccessible and not child-friendly. While its website includes CRC-related materials,<sup>14</sup> it lacks clear complaint submission guidance and the Deputy for child-related issues is not well-recognized by children. The website's "Deputies" section lists only biographies, without indicating specific responsibilities in human rights protection.

The 2021 law designates the Protector of Citizens as a "special body" for child rights protection. This provision emerged amidst debates on establishing a dedicated Children's Ombudsperson, which was strongly opposed by the current Protector of Citizens. However, the institution lacks capacity to effectively engage with children.<sup>15</sup>

Children over ten can file complaints independently, while parents, guardians or child rights association can do so with parental or child consent (for children over ten).<sup>16</sup> The 2023 Annual Report does not specify how many complaints came directly from children, with most appearing to be submitted by parents.<sup>17</sup>

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14 <https://pravadeteta.ombudsman.org.rs/attachments/article/1071/Konvencija%20UN%20o%20pravima%20deteta.pdf>.

15 Stefanovic, L., Improvement of Protection of Rights of Children with Disabilities: Protector of Citizens and Commissioner for Equality, MDRI-S, 2025; <https://www.mdri-s.org/public/documents/upload/Unapredjenje%20zastite%20prava%20dece%20sa%20invaliditetom.pdf>.

16 Article 28, Law on Protection of Citizens; Article 30 provides that professional assistance in drafting the complaint is provided to the child even if they have not requested it.

17 <https://www.ombudsman.rs/attachments/article/7979/Redovan%20Godisnji%20izvestaj%20Zastitnika%20gradjana%20za%202023.%20godinu.pdf>.

## Dissemination and Awareness-Raising

The National Academy for Public Administration accredited a children's rights training for municipal staff and the UCPD trained education advisers and inspectors on children's rights.<sup>18</sup>

However, UCPD research on primary school teachers' competencies reveals critical gaps. Most teachers lack substantive knowledge of children's rights, fail to recognise violations and are unfamiliar with prevention strategies and procedures. Their limited understanding of the CRC is further hindered by attitudes that downplay its importance.

No structured measures have been introduced to raise CRC awareness. National media, including Radio Television of Serbia, neither consult nor involve children in programme development and often disregard ethical standards protecting children's dignity and privacy.

## Cooperation with Civil Society

The government's relationship with CSOs has deteriorated, with their input disregarded in policy-making and exclusion from bodies, such as the Child Justice Council. State funding remains inaccessible unless organisations align with politically acceptable structures, with opaque procedures favouring "GONGOs" – Government-Organized Non-Governmental Organizations, state-controlled entities designed to mimic independent NGOs, misleadingly portraying a strong civil society while competing for government and foreign funding.<sup>19</sup>

NGOs working with children face financial instability, donor dependency and limited opportunities for sustainability. Negative media portrayals and political attacks further weaken their role, while sometimes staff transitions between government and NGOs raise concerns about conflicts of interest and independence.

## Childrens Rights and the Business Sector

Companies show little interest in supporting children's rights, mainly due to low awareness of their impact, lack of financial incentives and tax breaks or corporate social responsibility advantages. Contributions are often limited to short-term,

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18 178 advisers and inspectors participated in this training.

19 Cerovic, I., *The Role of Non-Governmental Organisations in Implementing the Rights of the Child*, paper prepared for the conference dedicated to 30 years of the CRC adoption, 2019.

high-visibility projects like donations to institutions and sport clubs, rather than engaging in rights-based initiatives that address deeper systemic issues. Many still view child rights advocacy as the sole responsibility of governments and NGOs, rather than a shared societal responsibility.

## 2. General Principles

### Non-discrimination

Some progress has been made in integrating non-discrimination principles into legislative and policy frameworks across sectors. The 2023 Equity Commissioner Report recorded 135 age-based discrimination complaints, with 62% involving children. Key issues included peer violence, insufficient education on sexual and reproductive health, gender inequality, weak mental health support, limited pre-school access, among others.<sup>20</sup>

The 2023 Report on Violence in Schools<sup>21</sup> found 41.9% of girls and 20.6% of boys experienced gender-inappropriate language, while negative attitudes toward Roma and LGBTI+ communities remain widespread, with many pupils believing these groups receive unjustified privileges. One in four students justifies violence against vulnerable groups.<sup>22</sup>

Roma children are disproportionately affected by harmful practices like child marriage (65.4% of cases) and are overrepresented among children in conflict with the law.<sup>23</sup>

### Best Interests of the Child

Limited progress has been made in ensuring the best interests of the child as a primary consideration in the development of laws and policies, particularly for vulnerable children.

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20 Commissioner for Equality, 2023 Annual Report: <https://ravnopravnost.gov.rs/wp-content/uploads/2024/03/RGI-2023.pdf>.

21 Protector of Citizens, Special Report of the Protector of Citizens and Panel of Youth Counsellors on Violence in Schools, 2023: <https://www.ombudsman.rs/attachments/article/7910/Poseban%20izvestaj%20Zastitnika%20gradjana%20o%20nasilju%20u%20skolama.pdf>, p. 88.

22 Ibid., p. 85.

23 According to RISP Research on Conditions and Quality of Treatment of Children in Conflict with the Law in Serbia, 2022, conducted in partnership of RISP and UNICEF, there are 57% Serbs and 30% of Roma among children in conflict with the law.

Currently, this principle only appears in specific legal provisions, rather than as a universal standard. It is often applied tokenistically, without structured assessment and policies, sometimes contradicting children's wellbeing. An example is the government's decision to end the school year early in response to children's participation in students protests.<sup>24</sup>

The principle is also inconsistently applied in judicial and administrative decisions. Many child-related proceedings lack legal and psychosocial support and children's privacy is not always protected, particularly in cases of residential care placement, alternative care and protection from violence. There are no established regulations for its consistent application in these proceedings, nor mandatory training for relevant authorities, in line the General Comment No. 14, except for a limited family law judges' training, which should be expanded with a multi-sectoral approach.<sup>25</sup>

## Right to Life, Survival and Development

From 2017 to 2023, newborns, infants and children under five indicators have not improved.<sup>26</sup> Perinatal mortality remains high (8.5 in 2023), driven by rising stillbirths and reflecting poor pregnancy management.

Although skilled birth attendance, childbirth practices fail to meet standards. Reports of obstetric violence in state hospitals have increased since 2022.<sup>27</sup> In 2024, public initiatives advocating for childbirth humanization emerged following newborn deaths and maternal mistreatment. Maternal mortality remains 20-50% higher than in EU countries.

Tragedies in 2023 and 2024 raised concerns about child safety and public security. A multi-sectoral independent review panel is needed to investigate systemic failures and recommend evidence-based reforms in school safety, firearm regulation, mental health and early risk identification.

The 2021 MDRI-S Report revealed concerning cases of neglect and lack of medical care for institutionalised children with disabilities, putting their health and life at risk.<sup>28</sup> Palliative care of children is not properly regulated.

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24 <https://www.bbc.com/serbian/articles/cr56e4j9l32o/lat>.

25 Together with UNICEF, the Centre developed guidelines that operationalize the CRC principles.

26 SORS, <https://publikacije.stat.gov.rs/G2024/Pdf/G202414021.pdf>.

27 As documented in the "Report on the Treatment of Women in Gynecological and Obstetric Institutions in Serbia", 2022: <https://zadovoljna.nova.rs/beba-i-porodica/prvi-veliki-izvestaj-o-akuserskom-nasilju-u-srbi-ji-najvise-prijava-za-4-bolnice/>.

28 Disability Rights International and MDRI-S, Serbia's Forgotten Children, 2021: <https://www.mdri-s.org/wp-content/uploads/2021/06/Serbia-2021-web-ENG.pdf>.

## Respect for the Views of the Child

There is no explicit legal obligation for parents or state authorities to hear and consider a child's opinion or provide information for informed choices. Children are more involved in individual cases than in policy-making. No permanent mechanism ensures their systematic participation in local or national decision-making.

While Family Law (Article 67) recognises a child's right to be heard, it does not fully align with General Comment No. 12. Instead of presuming that every child is capable of forming opinions, courts or collision guardians assess capacity, with no mechanisms to challenge errors. Courts may deny this right if deemed "contrary to the best interests of the child" (Articles 266 and 267), treating the best interests principle as a safeguard against inappropriate choices. Only children over 10 can express opinions directly, leaving younger children's voices less considered. Courts are not required to justify disregarding a child's opinion, hindering appeals.<sup>29</sup>

The Child Justice Law does not clearly guarantee this right for child offenders, victims and witnesses. There is no systematic data on children's participation in court proceedings.

The Law on the Foundations of the Education System does not explicitly guarantee the right to be heard, despite UCPD recommendations during public consultations. Pupils' parliaments remain unstructured and inconsistent. The 2024 UCPD report found children feel powerless in decisions about rewards and punishment (72.8%), school organisation (64.7) and teaching methods (60.2%).<sup>30</sup>

A nationwide survey showed that over half of children have never influenced decisions, particularly in local governance. Children in social welfare institutions report better communication about their rights than those interacting with CSWs, who are perceived as far less receptive. Many children are not consulted at all, leaving them feeling powerless in decisions that deeply affect them.

*"They told me I was going to the shelter for an interview, but I have been here for seven months."*

*"We felt abandoned. No one asked what we wanted."*

29 Petrusic, N., Child-Friendly Civil Justice: International Standards and the Situation in the Republic of Serbia, University of Nis.

30 UCPD, Report on Realisation of Children's Rights in Education System, with Special Focus on Children from Vulnerable Groups, 2024: [https://ucpd.rs/wp-content/uploads/2024/01/izvestaj-istrazivanje-fikal-09.01.24-1-compressed\\_compressed.pdf](https://ucpd.rs/wp-content/uploads/2024/01/izvestaj-istrazivanje-fikal-09.01.24-1-compressed_compressed.pdf).



# 3. Civil and Political Rights

## Birth Registration

Despite certain progress, systemic obstacles to birth registration persist for children whose parents lack personal documents. They cannot be immediately registered, facing lengthy and costly procedures to determine their name and birth details.

Restrictive by-laws<sup>31</sup> remain a major barrier, despite a 2020 joint instruction allowing registration in such cases. In practice, a child cannot be registered if the mother lacks an ID card.<sup>32</sup>

A 2020 Supreme Court ruling requires administrative registration denial before court proceedings can begin. If birth registry records were destroyed, individuals cannot seek a non-litigation court confirmation of their birth details, affecting those previously registered in the birth registry in the so-called "R. Kosovo".

Birth registers are maintained by local authorities, with no centralised data on stateless children or citizenship determination cases. While the Law on Citizenship grants citizenship to children of unknown or stateless parents, this process is not automatic and requires a formal decision by authorities.

## Freedom of Association and Peaceful Assembly

When high school pupils joined protests in December 2024, following the Novi Sad tragedy, the harshest response came from the president, who criticized their participation.<sup>33</sup> Other officials followed, accusing teachers and principals of manipulating students, disregarding the CRC and national regulations. During a parliamentary session, Minister for Family Care and Demography claimed children lack maturity to engage in political issues, framing their participation as problematic.<sup>34</sup>

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31 Regulations on the procedure for issuing a birth registration of a child and a form for registering the birth of a child in a health institution and Instructions on keeping registers and register forms.

32 EU progress reports repeatedly raised concerns about this issue.

33 <https://www.danas.rs/vesti/drustvo/vucic-za-protest-srednjoskolaca-optuzio-nastavnike-ko-ste-bre-vi-da-vodite-bilo-clije-dete-na-ulicu/>

34 <https://www.minbpd.gov.rs/durdevic-u-parlamentu-poslednja-desavanja-pozivaju-na-zastitu-od-zloupotrebe-dece/>

The Protector of Citizens condemned the protests instead of defending children's rights,<sup>35</sup> while a Serbian Progressive Party member made the extreme claim that children are "the property of the state".<sup>36</sup>

In response, pupils asserted their right to peaceful assembly, citing the CRC. Pressure on school principals escalated, leading to threats and premature termination of the first semester in December 2024 in an attempt to suppress further protests.

Despite official claims, Serbian law guarantees children's right to express opinions and participate in public life. The Law on the Foundations of the Education System (Article 7) promotes democratic participation, critical thinking and awareness of human rights.

However, these claims reveal that even strong legal framework is ineffective if public officials fail to uphold it. The state must inform children of their rights, ensure their safe participation and sanction violations.

Media also avoid engaging with children, likely fearing accusation of exploitation. However, ensuring access to information and public expression is a state responsibility.<sup>37</sup>

## Right to Privacy

Although children's identities are legally protected in court, media reports often make them easily identifiable, especially when children are offenders or victims of crime, leading to further stigmatisation. The Child Justice Law does not explicitly guarantee privacy of child victims and witnesses.

Children in social welfare institutions complain about lack of privacy due to collective living arrangements:

*"I don't have where to go when I am sad"*

*"Sometimes I need to be alone"*

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35 <https://www.danas.rs/vesti/drustvo/pasalic-nedopustivo-organizovati-aktivnosti-koje-ukljucuju-decu-i-mlade-i-to-dok-su-u-skolama/>

36 <https://www.danas.rs/vesti/politika/postanik-sns-djukanovic-deca-su-vlasnistvo-drzave/>

37 BGC, Human Rights in Serbia 2024, p. 356-369.

## 4. Violence against Children and OPSC

Serbia lacks a national, coordinated system for tracking violence against children (VAC) across sectors, hindering accurate assessment and response. Cases recorded by CSWs nearly doubled from 3,942 in 2013 to 8,531 in 2022, with emotional violence comprising 44.6% of cases.<sup>38</sup> Gender distribution is relatively equal, except for sexual violence and child marriage, where 93.4% of victims (182 cases) are girls. In 2023, 197 children were recorded in licensed domestic violence shelters. Despite alarming figures, children distrust reporting mechanisms, preferring to confide in peers or parents.<sup>39</sup>

The Strategy for Prevention and Protection of Children from Violence (2020-2023) expired with minimal progress, no public reports and no cross-sectoral monitoring. It relied on current donor-funded projects, lacking a state-led approach with clear, short-, mid- and long-term objectives.

The 2022 General Protocol created fragmented responsibilities between CSWs and the Public Prosecutor's Office, causing confusion. Sectoral protocols, except in social welfare, remain unadopted. The national VAC helpline<sup>40</sup> and national platform "Čuvam te"<sup>41</sup> ("*I Care for You*"), represent progress, yet follow up mechanism are lacking. A nationwide zero-tolerance VAC campaign has yet to be developed.

### Corporal Punishment and Domestic Violence

Corporal punishment remains legal at home. The 2019 Serbia Multiple Indicator Cluster Survey (MICS) found that 40% of children under 14 experienced violent discipline, rising to 67% in Roma settlements.<sup>42</sup>

While the 2017 Law on Prevention of Domestic Violence introduced coordination mechanism and individual support plans, children are not consistently recognised

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38 RISP, Children in Social Welfare System, 2023 Annual Report.

39 Centre, The Adolescent Mental Health and Psycho-Social Support Assessment, 2024, <https://cpd.org.rs/wp-content/uploads/2024/05/Adolescent-MHPSS-Assessment-Final.pdf>.

40 <https://www.116111.rs/o-nadelu.html>.

41 <https://cuvamte.gov.rs/>.

42 2019 MICS.

as direct victims.<sup>43</sup> Planned Family Law amendments banning corporal punishment and raising the minimum age of marriage remain unadopted.

## Violence in Schools

The 2023 school shooting intensified concerns over school violence. One in four students experiences daily violence, only 6% have never witnessed it and one in ten admitted to engaging in violent behaviour.<sup>44</sup> Most students are unaware of school violence protection teams.<sup>45</sup> GBV and discrimination against Roma and LGBTI+ children remain widespread.<sup>46</sup> Schools often cover up incidents to protect reputations.

*"If someone causes a problem, their parents make a deal with the school to hide it."*

*"When I reported that another girl was bullying me, my teacher said I was overreacting and that it was not a big deal."*

## Digital Violence

A 2019 UCPD Study found 96% of children encountered harmful online content, including hate speech and explicit sexual material.<sup>47</sup> The Lanzarote Committee identified gaps in Serbia's response to ICT-facilitated child sexual exploitation, including insufficient data and targeted laws.

## Alternative Care

Children in care report unawareness of reporting mechanisms and professionals fail to inform them of their rights.<sup>48</sup> Children with disabilities face neglect and rights violations in institutions, with limited protection. The Protector of Citizens lacks sanctioning authority to address institutional abuse.<sup>49</sup>

43 GREVIO report, 2023.

44 Protector of Citizens report: <https://www.ombudsman.rs/attachments/article/7910/Poseban%20izvestaj%20Zastitnika%20gradjana%20o%20nasilju%20u%20skolama.pdf>.

45 Ibid., p. 87.

46 Ibid., p. 83.

47 UCPD, 2019: [http://ucpd.rs/wp-content/uploads/2019/10/rezultati-istrazivanja\\_stetni-sadrzaji-i-lazne-vesti.pdf](http://ucpd.rs/wp-content/uploads/2019/10/rezultati-istrazivanja_stetni-sadrzaji-i-lazne-vesti.pdf).

48 This was one of the major concerns of children in shelters during the consultation process.

49 MDRI-S, 2025.

## Torture and Cruel, Inhuman or Degrading Treatment and Punishment

Reports from the Correctional Institution in Krusevac indicate solitary confinement and excessive force, lack of education and health/dental care.<sup>50</sup> The Special Prison Hospital in Belgrade, designed for adults, accommodates child offenders with mental health conditions despite severe overcrowding, lack of child psychiatrists and adult-oriented programmes.<sup>51</sup>

A 2019 MDRI study highlighted children with disabilities in institutions suffer neglect, denial of medical care and sexual abuse, amounting to inhuman treatment and torture.<sup>52</sup>

The National Preventive Mechanism (NPM) does not frequently visit places where children are deprived of liberty. Confidential reporting mechanisms for children in alternative care are often inaccessible, with complaint boxes placed in inappropriate places, e.g. staff or management areas. Inspections by justice and social welfare ministries are rare and their reports are not publicly available.

## Child Marriage

Child marriage is driven by poverty, low educational and cultural norms, disproportionately affecting Roma girls. The 2019 MICS found 5.5% of women aged 20-24 were married before 18, rising to 22.6% in the poorest households and 55.7% in Roma settlements.<sup>53</sup> RISP data recorded 985 child victims over five years, with Roma children the most affected, consistently over 55% of cases. Girls dominate (95%), with 70.5% aged 16-17 and 29% under 15. Preventive efforts are weak and CSWs often act only after the marriage occurs. Despite successfully evaluated UNICEF-led model, specialised services, including safe housing, education and psychosocial support, are lacking.

## Other Settings

The 2021 exposure of sexual violence in drama school highlighted gaps in oversight for organization working with children. Many operate without regulations on staff

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50 RISP, Research on children in conflict with the law with mental health concerns and children below the age of criminal responsibility, conducted in partnership with UNICEF in 2022: <https://www.zavodsz.gov.rs/media/2466/rec-report-1.pdf>. An unofficial English translation can be provided upon request.

51 Child Justice Council visit in 2024 revealed 900 individuals are hosted in a 450-capacity facility.

52 Disability Rights International and MDRI-S, Forgotten Children of Serbia, 2021, p. 52: <https://www.mdri-s.org/public/wp-content/uploads/2021/06/Serbia-2021-web-SRB.pdf>.

53 MICS, 2019.

qualifications and reporting obligations, leaving safeguarding unaddressed. Children also report violence in sport activities.

## Recovery and Reintegration of Child Victims

In 2023, Serbia recorded 497 child victims of crimes by adults, with sexual offenses increasing, with 181 cases in 2023, compared to 94 in 2018.<sup>54</sup> Legal framework for child victims remains incomplete,<sup>55</sup> with gaps in informing, privacy protection, safety and psychosocial support. These gaps lead to inconsistent application of protection measures and overlapping responsibilities among police, CSWs, prosecution offices and courts.<sup>56</sup>

The Strategy for Protection of Rights of Victims and Witnesses of Crime (2020-2025) aims to establish support services in all 25 higher courts, but progress is slow, and most support remains NGO-led and concentrated in Belgrade (34,5%) and Vojvodina (24,7%).<sup>57</sup> Many courts lack necessary audio-video equipment for child questioning, leaving children vulnerable to re-traumatisation.

## Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography

Serbia lacks a clear definition of sale of children, hindering prosecution. Extraterritorial jurisdiction is not in place, allowing traffickers to evade justice by fleeing the country. Protection of Roma children is fragmented and underfunded, while social workers lack specialised training, leading to misidentification of victims and inadequate support. Data gaps obstruct targeted interventions and language/cultural barriers prevent access to essential support. Rehabilitation remains short-term, underfunded and lacks sustainable reintegration mechanisms.

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54 SORS data.

55 Centre, Assessment of the System of Protection of Child Victims and Witnesses in Criminal Proceedings in Serbia, 2025 - Draft.

56 Ibid.

57 <http://www.mdtfjss.org.rs/archive//file/Overview%20of%20existing%20victim%20support%20services%20in%20Serbia%20-%20RS.pdf>.

# 5. Family Environment and Alternative Care

*When asked about key children's rights, a 14-year old girl accommodated in the Shelter in Belgrade responded: "We have the right to love".*

## Centres for Social Work

CSWs play a critical role in preventing family separation, managing alternative care placements and overseeing reunification and transitioning out of care. However, they face public, media and government criticism, especially in severe abuse cases, despite systemic challenges like staff shortages and insufficient resources. A single case manager handles hundreds of cases, making compliance with the Rulebook on Organization, Standards and Norms of CSW Operations impossible. According to RISP, 140 CSWs employed approximately 1,700 permanent staff, marking a decline in personnel since 2013.<sup>58</sup> This reduction compromises service quality and outreach work. EU progress reports highlight inadequate CSW capacities and excessive case-loads, raising concerns about the quality and effectiveness of protection services.<sup>59</sup>

*"It would have been better if they had helped my parents instead of taking me away."*

## Residential Care

In 2023, 5,259 children were in care, mostly in foster families, showing a positive decline since 2018, with both the number and rate of children in accommodation services decreasing (4.6 per 1,000 children).<sup>60</sup>

However, concerns persist regarding the composition of institutionalised children

58 <https://www.zavodsz.gov.rs/media/2572/izvestaj-o-radu-csr-u-2022-godini.pdf>.

59 Ex-ante analysis of the Strategy of Social Welfare: <https://www.minrzs.gov.rs/sites/default/files/2022-09/Ex%20ante%20analiza%20Strategija%20socijalne%20zastite-%20final.pdf>; 2024 EU Progress report; Government of the RS, Team for Social Inclusion and Poverty Reduction, Fourth national report on social inclusion and poverty reduction in the RS for 2018-2020 – Draft, Belgrade, 2021.

60 <http://devinfo.stat.gov.rs/diSrbija/diHome.aspx>

and conditions in institutions. In 2023, 566 children (10.8%) remain in institutions, and 75% of have disabilities,<sup>61</sup> often placed in facilities criticized for "lack of rehabilitation, denial of medical treatment and extreme cases of neglect".<sup>62</sup> Despite a legal moratorium on the institutionalisation of children under three, 35 children were institutionalised in 2022, with numbers rising.<sup>63</sup>

The 2024 EU Progress Report noted delays in deinstitutionalization, insufficient funding and stalled reforms.<sup>64</sup> Progress in transforming residential institutions into Centres for Children, Youth and Families<sup>65</sup> has stagnated, with repeated cycles of strategizing and planning without concrete action. Despite successful UNICEF and RISP supported pilot projects and robust studies, demonstrating benefits of intensive family-support services, such as family outreach worker, these remain unregulated and unfunded.

Children remain in emergency shelters beyond 6-month legal limit.<sup>66</sup>

## Foster Care

Foster care remains the primary alternative care model (4,869 children, 90% of all in care), but children with disabilities remain largely excluded. Foster placements have declined since 2018,<sup>67</sup> with limited specialized and emergency foster care options. Seven regional Centres for Family Placement and Adoption provide support, but coverage is incomplete, with no centre in South Banat region, despite plans.<sup>68</sup> Emergency foster care,<sup>69</sup> intended as an alternative to shelters, is available only in areas with no emergency shelters, leading to children being placed in shelters by default, rather than foster-care.

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61 <https://www.zavodsz.gov.rs/media/2573/izvestaj-o-radu-ustanova-za-decu-i-mlade-2022.pdf>

62 Disability Rights International and MDRI-S, 2021, p. 2.

63 RISP, <https://www.zavodsz.gov.rs/media/2573/izvestaj-o-radu-ustanova-za-decu-i-mlade-2022.pdf>.

64 [https://neighbourhood-enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

65 Revised Action Plan for Chapter 23: <https://www.mpravde.gov.rs/sr/tekst/30402/revidirani-akcion-plan-za-poglavlje-23-i-strategija-razvoja-pravosudja-za-period-2020-2025-22072020.php> and the Deinstitutionalization Strategy: <https://www.minrzs.gov.rs/sr/dokumenti/ostalo/sektor-za-socijalnu-zastitu/strategija-deinstitutionalizacije-i-razvoja-usluga-socijalne-zastite-u-zajednici-za-period-2022-2026godine>.

66 Concerns raised during the consultation process.

67 <http://devinfo.stat.gov.rs/diSrbija/diHome.aspx>

68 Regulation on the Network of Social Protection Institutions, Official Gazette of RS, 16/2012 and 12/2013; <https://www.minrzs.gov.rs/sites/default/files/2018-11/Uredba%20o%20mrezi%20ustanova.pdf>.

69 Rulebook on Foster Care, Official Gazette of RS, No. 66/2022, 10 June 2022.



## Local Social Protection Services

Local social protection services remain underdeveloped, uneven and poorly funded.<sup>70</sup> The most common services – *child personal attendant* and *daycare centres for children with disabilities* – are insufficient to meet demand.<sup>71</sup> Intensive family support services, counselling for at-risk families, at-home care and respite care remain project-based and unstable.

In 2021, total local social welfare spending was just 0.08% of GDP, with funding partially sourced from earmarked national-level transfers, which remain non-transparent and inconsistently implemented.<sup>72</sup>

## Support for Children Leaving Care

While some municipalities offer structured support programmes for children leaving care, these programmes are not standardised or available nationwide.

## Adoption

Adoption rates are declining, with only 61 adoptions in 2023, the lowest in a decade (13 were international).<sup>73</sup> Serbia's adoption rate is below the regional average,<sup>74</sup> and children with disabilities are disproportionately placed in international adoption.<sup>75</sup> International adoption is prioritized over reforming the national care system for children with disabilities.<sup>76</sup>

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70 CSP, Mapping of social protection services and material support under the jurisdiction of local governments, 2021: <https://csp.org.rs/sr/assets/publications/files/mapiranje-usluga-socijalne-zastite-i-materijalne-podrske-2021.pdf>

71 Ibid.

72 [https://neighbourhood-enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902\\_en?filename=Serbia%20Report%202024.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/3c8c2d7f-bff7-44eb-b868-414730cc5902_en?filename=Serbia%20Report%202024.pdf)

73 RISP, <https://www.zavodsz.gov.rs/media/2883/deo-izveštaja-deca-u-ssz-2023-1311docx.pdf>

74 ECARO for TransMonEE, Indicator: Rate of formal adoption of children (0-17 years) during the year (per 100,000); <https://www.transmonee.org/europe-central-asia-child-rights-data-dashboard?prj-tm&page=CPC>

75 Indicator: Children with disabilities (0-17 years) as a percentage of the total number of children formally adopted (including intercountry adoptions) during the year.

76 <https://www.unicef.org/moldova/en/documents/transmonee-analytical-series-pathways-better-protection>

## 6. Children with Disabilities

Despite policy advancements, children with disabilities remain excluded, over-institutionalised and lack tailored services.

In 2023, 13,163 children with disabilities were registered with CSWs,<sup>77</sup> marking a 43.3% rise over the past decade (11.0 per 1,000 children in 2022).<sup>78</sup> Institutionalisation remains high, with 396 children with disabilities in care.

Single-parent families with children with disabilities lack adequate financial and social support. Caregivers unable to work due to caregiving responsibilities receive no financial aid or employment support.<sup>79</sup> Early childhood support is inadequate, with only 16.3% of children under six and 20.6% of children with disabilities receiving benefits.<sup>80</sup>

A NOOIS and UNICEF study revealed systemic discrimination, with 45% of parents reported verbal abuse or harassment and 29% of children, particularly with physical disabilities, denied access to public services, especially in education.<sup>81</sup>

The government's Strategy for the Improvement of the Position of Persons with Disabilities in Serbia for the Period 2025-2030 aims to expand innovative daycare services, strengthen family support and anti-discrimination measures and improve accessibility of institutions and services at the local level. However, its success depends on adequate funding and intersectoral cooperation.

Children with disabilities face specific and complex barriers in accessing justice, requiring specialized interventions and systemic reforms.

For inclusive education, please see the Education section.

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77 RISP, <https://www.zavodsz.gov.rs/media/2883/deo-izveštaja-deca-u-ssz-2023-1311docx.pdf>.

78 RISP, *ibid*.

79 Draft UNICEF Situation Analysis on Rights and Situation of Children and Adolescents in Serbia, 2024.

80 <https://eurochild.org/uploads/2021/09/Serbia-Country-Profile.pdf>.

81 NOOIS, Situation Analysis: Position of Children with Disabilities in the Republic of Serbia, 2017: <https://www.unicef.org/serbia/media/2631/file/SitAn%20položaj%20dece%20sa%20smetnjama%20u%20razvoju%20i%20invaliditetom%20u%20Srbiji.pdf>.

## 7. Health

For health status of newborns, infants and children under five, please see the Right to Life, Survival and Development.

### Vaccine-Preventable Diseases

Failure to reach 95% herd immunity has led to sporadic outbreaks of measles and whooping cough over the past seven years. Contributing factors include vaccine refusal/delay, distrust in healthcare, immunisation gaps during COVID-19 and legal contradictions, as Article 15 of the Law on Patients' Rights allows parents to decide whether to vaccinate their child, while Article 32 of the Law on the Protection of the Population from Infectious Diseases mandates immunization.

### Health Risks Among School-Age Children

Children face rising risk from smoking, drug use, gambling, poor nutrition and risky sexual behaviour, but no coordinated, multisectoral public policies address these issues. The 2009 National Health Programme remains outdated and requires revision.

### Intersex Children

Intersex community remains invisible, facing stigma and "intersexphobia". It is manifested almost daily through negative attitudes such as disgust, fear, aggression, anger or discomfort toward individuals due to societal expectations of binary sex characteristics.

### Mental Health

Since 2020, social trauma and violence fears have worsened children's mental health. Many children, particularly Gen Z and post-millennials live with fear of violence, kidnapping, bullying and online abuse, leading many to seek refuge in virtual spaces, experiencing stress and anxiety.

Earlier studies showed that 16% of children need psychosocial support, yet early warnings were ignored. The COVID-19 worsened mental health, with 17% reporting declining mental health, particularly concentration difficulties and increased

irritability.<sup>82</sup> A 2021 National Youth Umbrella Organization study revealed that over two-thirds of respondents experienced anxiety, over half showed moderate to severe depression and one-third needed psychological help but did not access them. A 2024 Adolescent Mental Health Assessment<sup>83</sup> showed low trust in school psychologists and pedagogues, perceived as disciplinary figures rather than mental health professionals who can provide support to children.

Positive initiatives include the establishment of the Government's Working Group for Mental Health Support, "Crisis Psychosocial Support for the Community" programme, led by the Institute of Mental Health, and reopening of the Adolescent Ward at the "Dr. Laza Lazarevic" Clinic.

However, challenges remain. The National Mental Health Protection Programme (2019–2026) planned 20 mental health centers by 2026, but only six exist, managed by mental health hospitals, with just two (Belgrade and Vršac) offering services to children.<sup>84</sup>

According to the latest Health Statistics Yearbook,<sup>85</sup> Serbia has a total of 159 primary healthcare centres employing 142 psychologists, half of whom (78) work in child and adolescent services. A total of 22,881 visits were recorded in 2023. There is one psychologist in primary healthcare for every 16,540 children. These services recorded 21.83 mental and behavioral disorders per 100,000 children. There are 10 doctors currently specialising for child and adolescent psychiatry and 29 specialists, a total of 39 psychiatrists. Although this is an increase from 36 in 2022, it means that there is only one child psychiatrist per 33,080 children. Only 85 hospital beds exist for child psychiatric care, with 1,264 admissions in 2023.

Mental health prevention and treatment of children with addiction diseases remain insufficient.<sup>86</sup> There are no specific programmes for high-risk children, including child offenders and migrants.<sup>87</sup> Mental health remains fragmented across sectors, with no cross-sectoral legal framework. Interventions are rare in rural areas and smaller communities, where stigma prevents children from seeking help. Parental support programmes are scarce.

A dispute between psychotherapists, psychologists and psychiatrists over psychotherapy regulation remains unresolved.

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82 <https://www.unicef.org/serbia/en/mental-health-and-well-being>.

83 Centre, Mental Health Assessment, 2024.

84 The newly opened mental health centre in Pančevo does not have a child unit.

85 <https://www.batut.org.rs/index.php?content=77>.

86 [https://www.mzpokret.rs/wp-content/uploads/2024/03/IZVESTAJ-ZA-2023\\_POKRET.pdf](https://www.mzpokret.rs/wp-content/uploads/2024/03/IZVESTAJ-ZA-2023_POKRET.pdf).

87 RISP Research, 2022.

There is a lack of funding transparency in mental health initiatives. Without systematic evaluation, the impact of mental health initiatives remains unclear.

*"Depression and anxiety are common among us, but we don't know what to do."*

*"I don't trust anyone because the last time I told my psychotherapist something, I almost ended up hospitalised for suicidality."*

*"It is important that we can help ourselves and others."<sup>88</sup>*

## 8. Standard of Living

There is no evidence that the government consults vulnerable families, children, or child rights organizations, nor does its report address this issue.

Key poverty-targeting programmes – **Financial Social Assistance** (FSA) and **Child Allowance** (CA) – have not been improved. Instead, beneficiary numbers, coverage and funding relative to GDP have declined.

CA programme has dropped by 50% in a decade, from 394,236 beneficiaries in 2013 to 200,798 in 2023 (approximately 148,000 receiving the basic allowance).<sup>89</sup> Coverage fell from 30.8% (2013) to just 16.6% (2023).<sup>90</sup> Unlike in 2013, when the programme had the potential to cover all children at risk of poverty, by 2022 it could only potentially cover 84.5%.<sup>91</sup> Since data on absolute poverty has not been collected since 2020, the coverage of children living below the absolute poverty line remains unknown. Government spending on CA has halved, from 0.33% of GDP in 2013 to 0.16% in 2021.<sup>92</sup>

FSA programme also declined. Beneficiaries fell by 40%, from 276,000 to 167,000. The proportion of the total population receiving the FSA fell from 3.7% to 2.5%.<sup>93</sup> Total FSA expenditures decreased from 0.34% of GDP (2013) to 0.19% (2022).

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88 Consultations with children, March 2024.

89 <http://devinfo.stat.gov.rs/diSrbija/diHome.aspx>

90 Ibid.

91 Eurostat Database. Table At-risk-of-poverty rate by poverty threshold, age and sex [ilc\_li02].

92 <http://csp.org.rs/en/assets/publications/files/mapping-social-care-services-and-material-support-2021.pdf>

93 <http://devinfo.stat.gov.rs/diSrbija/diHome.aspx>

The 2023 EU Progress Report confirms no improvements in financial assistance to reduce poverty.<sup>94</sup>

The government has not reviewed housing policies to prevent homelessness, particularly among Roma children, children with disabilities and care leavers.

Social benefits are indexed to inflation but remain inadequate to cover basic needs. The basic CA amount in 2020 was less than half of the absolute poverty line for younger children, and only 37.4% for older children, unchanged since 2017.<sup>95</sup>

The Social Card Register, promoted as a solution, has worsened access to benefits, especially for Roma and other vulnerable groups, reducing FSA beneficiaries.<sup>96</sup> EU Progress Reports (2023, 2024) highlight concerns about automated data processing contributing to social exclusion.<sup>97</sup>

*“Our schools are in poor condition – we have old desks, no meals provided during the day and no rest areas. Our toilets are dirty, without soap, toilet paper, or sometimes even functional doors.”*

## 9. Children’s Rights and the Environment

Despite high awareness among children, their right to a healthy environment is compromised by severe pollution.<sup>98</sup> Key risks include inadequate waste management, air and water pollution, food contamination and biodiversity loss. These issues stem from weak legislation, poor enforcement and illegal activities, such as waste dumping and burning, illegal landfills, toxic emissions and deforestation.

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94 [https://neighbourhood-enlargement.ec.europa.eu/document/download/9198cd1a-c8c9-4973-90ac-b6ba6bd72b53\\_en?filename=SWD\\_2023\\_695\\_Serbia.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/9198cd1a-c8c9-4973-90ac-b6ba6bd72b53_en?filename=SWD_2023_695_Serbia.pdf)

95 [https://media.srbija.gov.rs/medeng/documents/third-national-report-on-social-inclusion-and-poverty-reduction2014-17\\_eng.pdf](https://media.srbija.gov.rs/medeng/documents/third-national-report-on-social-inclusion-and-poverty-reduction2014-17_eng.pdf)

96 [https://www.amnesty.org/en/latest/research/2023/12/trapped-by-automation-poverty-and-discrimination-in-serbias-welfare-state/#:~:text=The%20amount%20of%20financial%20social,Serbian%20dinars%20\(460%20euros\)](https://www.amnesty.org/en/latest/research/2023/12/trapped-by-automation-poverty-and-discrimination-in-serbias-welfare-state/#:~:text=The%20amount%20of%20financial%20social,Serbian%20dinars%20(460%20euros))

97 [https://neighbourhood-enlargement.ec.europa.eu/document/download/9198cd1a-c8c9-4973-90ac-b6ba6bd72b53\\_en?filename=SWD\\_2023\\_695\\_Serbia.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/9198cd1a-c8c9-4973-90ac-b6ba6bd72b53_en?filename=SWD_2023_695_Serbia.pdf)

98 Centre, The Rights to Healthy Environment in the Republic of Serbia, 2021: <https://cpd.org.rs/wp-content/uploads/2021/08/Prava-deteta-na-zdravu-zivotnu-sredinu-u-Republici-Srbiji-2.pdf>.

Children are excluded from local environmental policy-making and lack education on key topics such as climate change, sustainable nutrition, production and consumption, waste management, biodiversity conservation, circular economy and green cities. Schools provide insufficient outdoor learning, limiting engagement in sustainable practices.

Roma children face disproportionate environmental risks, including exposure to toxic fumes from waste burning and hazardous child labour. They suffer from respiratory infections and other illnesses, leading to higher child mortality and shorter life expectancy. Lack of green spaces, public parks and playgrounds in informal settlements force many to play in unsafe landfill areas.

## 10. Education, Leisure and Cultural Activities

### Access to Free Education

Although education is legally free and compulsory, hidden costs like textbooks, school supplies, extracurricular activities, excursions, clothing, daily meals and snacks create financial barriers. The state provides partial support, covering transportation for some students and free textbooks to some low-income children, but this fails to ensure equal access to all children, falling short of CRC Article 28.

### Quality of Education

PISA results show that Serbian students lag behind their peers in neighbouring countries and Europe.

Traditional teaching methods dominate, limiting critical thinking, metacognitive skills, problem-solving abilities and self-regulated learning. A shift is needed toward interactive teaching.

*"At school, no one asks us what we think about the teaching methods or the curriculum."*

COVID-19 worsened education, with primary school children receiving pre-recorded lessons via national television and minimal student-teacher interaction. The approach adopted by the Ministry of Education did not consider individual learning needs. Children with *Individualized Education Plan* (IEP) lacked support, further reducing learning opportunities.

Secondary education is not compulsory, reducing overall education quality and student competencies.

*"I don't think the school programme should be reduced, but improved. Teachers should have more freedom and creativity, so we can listen to the lesson and then practice. Not all families can afford extra classes."*

## Early Childhood Development

Preschool enrolment disparities persist, with only 11% of the poorest children and 25% of rural children attending. Mandatory preschool attendance is 76% among Roma children and 83% in poorest households.<sup>99</sup>

Low participation of Roma and other vulnerable children in early childhood education is a serious concern. A 2018 World Bank report found that only 6% of Roma children have access to preschool education.<sup>100</sup> Barriers to participation include poverty, discrimination, lack of awareness and language barriers, hindering effective learning and integration.

Public investment in early childhood development remains below EU standards (3.8-3.9% vs. 4.6% EU average), leading to shortages in preschool facilities, inadequate infrastructure and insufficiently trained staff and impacting both accessibility and quality of preschool education.<sup>101</sup>

## Inclusive Education

Funding for inclusive education is unclear, as it is merged within education budgets and inclusion is integrated at all levels. Segregated schools/classes remain, with

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99 <https://www.unicef.org/serbia/en/quality-inclusive-early-childhood-education>.

100 <https://www.worldbank.org/en/news/press-release/2018/03/13/world-bank-supports-early-childhood-development-in-serbia-adding-room-for-17000-more-preschoolers>.

101 <https://www.unicef.org/serbia/media/23201/file/Serbia%20Education%20Public%20Expenditure%20Review.pdf>.



enrolment decreasing from 6,524 (2021) to 4,735 (2023). In 2023/24, 447 children were enrolled in 74 special preschool groups.<sup>102</sup>

Children report that segregation often replaces proper inclusion, as children with disabilities lack needed support and face higher levels of violence in regular schools. Special schools enroll children with autism and other disabilities, instead of ensuring their education in regular schools with individualized education plans. Teachers lack training for diverse disabilities and few teachers or peers know sign language, leaving deaf children socially isolated. The government underfunds specialised staff and special schools could be integrated into general schools if adaptations were made, such as accessible restroom, sensory rooms and wheelchair ramps. Some areas, like Kragujevac and Sumadija district, lack pedagogical assistants and despite more personal assistants, waiting lists remain.

Deaf and nonverbal children struggle with accessibility in daily life. For example, public buses rarely display stop names, making navigation difficult.

*“Strengthen the law so that children can enroll in any kindergarten, elementary or high school.”*

*“I want to attend a special school for children with visual impairments because inclusion, as it exists now, does not work!”*

*“I have a smaller circle of people, and I feel great with them!”*

Some local governments allocate funds for Roma children’s education, sometimes in partnership with NGOs, but funding remains insufficient to address their severe economic hardships.

## Human Rights Education

Child rights education is not systematically included in education system, despite a favourable legal framework allowing it.

Civic Education (since 2005) is optional, failing to meet CRC’s standards for mandatory child rights education. Weak curriculum, lack of trained teachers and

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102 Draft 2024 UNICEF Situation Analysis.

poor institutional support lead to ineffective implementation. Schools frequently schedule it as the last class of the day and cancel lessons, with no accountability.

The Law on the Foundations of the Education System allows for the cross-curricular integration of child rights education. This is in line with the CRC and General Comment No. 1, however, implementation is weak and inconsistent. According to the UCPD research, less than half of teachers include child rights education in their lessons or extracurricular activities and only 25% provide concrete examples of its meaningful integration.

## **11. Special Protection Measures and OPAC**

### **Asylum Seeking, Refugee and Migrant Children**

Inconsistent age assessment leads to arbitrary determinations by police or doctors. Asylum centers (ACs) and police stations lack child-friendly materials explaining the asylum procedures and rights. Many unaccompanied children avoid seeking asylum, intending to continue their journey to other European countries. Data on legal representation and trained asylum officers is unavailable.

Although the Law on Asylum and Temporary Protection mandates alternative accommodation for unaccompanied children, it is rarely provided due to limited social welfare institutions and foster care system. Most children remain in ACs without social workers or best interests assessments, facing frequent, unexplained relocations. Foster care placements have declined since 2017, with few trained foster parents, while temporary guardians handle excessive caseloads.

There is no formal cross-border cooperation on trafficking, smuggling or family separation. Only 1-2 child trafficking victims are identified annually, suggesting detection gaps. Despite training, Commissariat for Refugees and Migration employees struggle to prioritise child protection due to multiple responsibilities.

There is no clear procedure for determining statelessness. Children born in Serbia to refugee parents receive birth certificates listing their parents' nationality, despite lacking ties to their country of origin, increasing statelessness risks, as families cannot or should not contact their embassies. The Law on Citizenship remains unchanged,

leaving these children without a legal pathway to citizenship. Access to quality education is limited. Teachers and school staff lack training and motivation to support refugee children. Higher education is only available as a foreign student, requiring full international tuition fees.

## Children Belonging to Minority Groups

Despite legal protections, discrimination remains widespread, with no state-led campaigns to prevent violence and hate speech. Roma community remains one of the most discriminated groups, as confirmed by human rights institutions.

Pandemic exacerbated exclusion, limiting Roma children's access to education, social welfare and healthcare. Local governments lack targeted support services with no active Roma inclusion strategies due to underfunding, staff shortages and legal barriers. Roma coordinators and mobile teams exist, but many Roma families remain unaware of their role. Services are concentrated in larger cities, leaving smaller municipalities without adequate support. CSOs often fill service gaps.

Data is not disaggregated by nationality, making monitoring inclusion difficult. There is no comprehensive data on hate speech, sanctions or criminal charges related to anti-Roma discrimination. State funding prioritizes direct assistance rather than addressing negative societal attitudes. Most awareness campaigns are run by CSOs, with limited government involvement.

2021 amendments to the Law on Prohibition of Discrimination recognise segregation as discrimination but enforcement is weak. The National Strategy for Roma Inclusion (2016–2025, updated 2022–2030) remains underfunded and lacks proper coordination.

## Child Labour

CSWs identified 33 new cases in 2023, mostly Roma children aged 6-14 from impoverished families, already receiving social welfare. Actual numbers are likely higher due to underreporting and inconsistent data collection. While most children are under parental care, parental rights termination procedures are often planned but not initiated.

Begging is the most common form of child labour, while agricultural and livestock work remain underreported. Parents and relatives are the main perpetrators. Many children lack civil status documentation, limiting access to services.

Police and Centre for the Protection of Trafficking Victims (CPoTV) are the main reporting bodies, but labour inspectors and communal police rarely report cases. Limited resources and specialized services hinder effective CSW intervention. Gaps in interagency communication persist, with Family Placement Centres identifying 13 cases, CPoTV reporting 7 labor trafficking cases and child shelters recording 6 cases.

## Children in Street Situations

Children in street situations face extreme poverty, neglect, violence and exploitation. They are at high risk of abuse from strangers and police, hazardous work and forced begging.

A lack of unified definition of "street children" and inconsistent data collection across RISP, CSWs and NGOs make it difficult to assess the full scale of the issue. Estimated 2,000 children live and work on the streets, but actual numbers are likely higher. In 2023, RISP reported 360 children accessed licensed drop-in centres services (mostly primary school-aged) and 33 officially registered as child labour victims. Forced begging cases are increasing, but official data underestimates true scale of exploitation.

Support and reintegration programmes exist but fail to meet children's complex needs. Many children are unaware of their rights. Legal framework criminalises children involved in begging instead of targeting exploiters. Public awareness remains low, making these children largely invisible.

*"I was most scared when a man tried to take me to be his wife."*

*"The police always stop me"*

*"They touch me when they search me"*

## Trafficking in Human Beings

According to CPoTV data, there were 46 victims in 2021 (37% children, mostly girls), 62 in 2022 (40% children) in 2022, 66 in 2023 (62% of children, average age 12) and 35 in 2024. ASTRA identified 106 victims (23 children) from 2021-2024, with common forms of sexual exploitation, forced marriage, forced begging and multiple exploitation.

ASTRA's 116000 Missing Children Hotline (2012-2024) recorded 5,394 calls linked to 157 missing children (94 girls, 63 boys). 46% ran away from home/care – the leading cause of disappearances, 17% were unaccompanied/separated children, including parental abduction, 3% were abducted by a third party and 17% were lost, injured, or missing for other reasons. ASTRA's data suggests that 26% of child trafficking victims in 2024 were previously reported as runaways, highlighting their vulnerability. There is a lack of specialized services, unstable NGO funding and inconsistent re-integration procedures. Judicial shortcomings include high rate (45%) of trafficking cases that result in plea bargains or downgraded charges, often reclassified as "mediating in prostitution", even when victims are children.<sup>103</sup> This violates international standards, as children cannot legally consent to sexual exploitation.

2021 and 2023 Constitutional Court rulings<sup>104</sup> confirmed state failures in protecting child trafficking victims – ASTRA's clients, and called for stronger legal protections and support.

## Administration of Child Justice

Child offenders are often overlooked as victims of violence and neglect, many coming from high-risk families requiring early intervention. SORS data (2023) indicates 2,598 criminal charges against children, a 25% drop from 2017 (3,465). Boys account for 90% of cases, with offences most common committed at ages 14 and 17.

Application of diversion measures remains inconsistent. Prosecutors apply diversions (7.2%-9.5%) more than judges (1.6%-4.7%), with highest usage in Vojvodina (10%-16%) and lowest in Belgrade (1%).<sup>105</sup>

Data discrepancies between judiciary and social protection hinder effective analysis. Early intervention remains insufficient, particularly for children under 14 and with mental health issues.<sup>106</sup> Day-care centres for child offenders dropped from 10 (2012) to only 2 (2021),<sup>107</sup> while counselling centres (27) report 37% of cases involve children with behavioral issues, yet 47% of professionals lack expertise.<sup>108</sup>

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103 ASTRA, Analysis of the judicial practice of 2023, <https://drive.google.com/file/d/107fAqwefgYKdtFPLz28L-jfRX5Sau0s5H/view>.

104 Judgment: 1526-2017, Official Gazette of RS, 2021, and <https://astra.rs/ustavni-sud-usvojio-zalbu-as-trine-klijentkinje/>.

105 Centre, Analysis of Application of Diversions in the Republic of Serbia from 2017-2022, 2023.

106 RISP Research, 2022.

107 [https://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/09/Mapiranje\\_usluga\\_socijalne\\_zastite\\_i\\_materijalne\\_podrske\\_u\\_nadleznosti\\_JLS\\_u\\_RS.pdf](https://socijalnoukljucivanje.gov.rs/wp-content/uploads/2020/09/Mapiranje_usluga_socijalne_zastite_i_materijalne_podrske_u_nadleznosti_JLS_u_RS.pdf), <http://www.zavodsz.gov.rs/media/2454/izvestaj-lplu-2021.pdf>.

108 RISP, Internal document – Analysis of the work of counselling services for children and families, 2021.

There are no adequate alternatives to pre-trial detention and rehabilitation programmes remain insufficient, contributing to reoffending.

Children reported excessive force and violence by security guards in Correctional Institution in Krusevac which remain hidden and investigated.<sup>109</sup> Girls (11%) suffer from a lack of substantive, gender-sensitive programmes. In both social welfare and justice institutions, children lack quality education, healthcare, psychosocial support and independent complaint mechanisms. Many leave institutions without even completing primary education.<sup>110</sup>

Despite Child Justice Law guarantees mandatory training for attorneys, police, prosecutors and judges, it lacks child-sensitive communication, gender sensitivity, support for children with disabilities, and a multi-sectoral approach, with involvement of social welfare professionals.

In 2022, there were 2,522 children under 14 registered in social welfare system,<sup>111</sup> which is a sharp increase compared to 1,019 in 2018.<sup>112</sup> Following the May 2023 mass shootings, there were calls to lower the MACR from 14 to 12. The proposal was strongly opposed by CSOs, despite support from some politicians, academics and judiciary members.

UN Special Rapporteur on Health criticized Serbia's proposed legal amendments for violating international standards by allowing indefinite involuntary confinement of children under 14, lack of justification and violation of best interests of the child, restricting visitation rights and lack of transparent consultations.<sup>113</sup>

## Children in Armed Conflict including OPAC

Serbia has not amended its OPAC declaration. Amendments to the Law on Military Labour and Material Obligation now stipulate that conscription starts the year a person turns 18, ensuring children are not recruited into the armed forces.

Criminal Code does not criminalize child recruitment by non-state armed groups, leaving a significant legal gap. No steps were taken to address this deficiency or

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109 RISP Research, 2022.

110 Ibid.

111 RISP, 2022.

112 RISP, 2018.

113 Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Communication, OL SRB 3/2023.

implement international recommendations. Extraterritorial jurisdiction remains restricted by the double criminality principle, limiting accountability for child recruitment offences committed abroad.

## Participation of Children

To ensure broad child participation, the Centre and DX Club designed a consultative process prioritizing vulnerable children.

Nationwide survey, U-report and focus groups included children from mainstream schools, drop-in shelters, social welfare institutions and schools for blind and deaf children. Findings are documented in Annex 3, capturing diverse perspectives. Children created their own report, ensuring their voices and recommendations were directly presented to the CRC Committee in a meaningful and impactful way.

## Annexes

**Annex 1:**

A Consolidated List of Specific Recommendations, Categorized by Issue Area

**Annex 2:**

About Organisations that Participated in the Report Preparation

**Annex 3:**

Consultations with Children - Overview of Key Findings



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