

<b>UN CRC</b>	<b>Succession Date</b>	<b>Care-Related Concluding Observations</b>
	<b>12 Mar 2001</b>	
		<b>Country Report</b>
<b>OPSC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	<b>10 Oct 2002</b>	
<b>OPAC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	<b>31 Jan 2003</b>	
<b>ICCPR</b>	<b>Succession Date</b>	<b>Care-Related Concluding Observations</b>
	<b>12 Mar 2001</b>	
<b>ICESCR</b>	<b>Succession Date</b>	<b>Care-Related Concluding Observations</b>
	<b>12 Mar 2001</b>	
<b>CEDAW</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	<b>12 Mar 2001</b>	
<b>CRPD</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
<b>CRPD/C/SRB/CO/1</b>	<b>31 Jul 2009</b>	<b>CRC/C/SRB/CO/2-3</b>  <b>3 Feb 2017</b>

		<p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fSRB%2fCO%2f2-3&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fSRB%2fCO%2f2-3&amp;Lang=en</a></p> <p><b>C. General principles (arts. 2, 3, 6 and 12 of the Convention) Non-discrimination</b></p> <p>22. The Committee welcomes the initiatives introduced by the State party to address discrimination, particularly against Roma children, however it is concerned at:</p> <p>(a) The persistent discrimination against Roma children in all areas of life, which is among the principal reason leading to the placement of Roma children in institutions;</p> <p>(b) The fact that Roma children, as well as children with disabilities, migrant, refugee and asylum seeking children, minority children, children living in remote areas, children in street situations, children with HIV/AIDS and LGBT children continue to face discrimination with regard to access to education, health care and adequate housing;</p> <p><b>23. The Committee urges the State party to:</b></p> <p>(a) <b>Ensure full implementation of relevant existing laws prohibiting discrimination, including by strengthening public education campaigns to address negative social attitudes towards Roma children, children with disabilities, minority children, refugees and asylum seeking children, migrant children, children in street situations, LGBT children and children with HIV/AIDS;</b></p> <p>(b) <b>Ensure that children living in rural areas have access to quality education, adequate health care and housing;</b></p> <p><b>Respect for the views of the child</b></p> <p>28. The Committee notes as positive the ongoing efforts undertaken by the State party to ensure respect for the views of the child, including its consideration as one of the priority areas in the Law on Social Welfare. However, the Committee is concerned that traditional practices and cultural attitudes in the family, schools</p>
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		<p>and certain social and judicial settings continue to impede the full realisation of the rights of children to express their views freely.</p> <p><b>F. Family environment and alternative care (arts. 5, 9-11, 18 (paras. 1 and 2), 20-21, 25 and 27 (para. 4))</b></p> <p>Children deprived of a family environment 39. While the Committee welcomes the progress made through the State party's deinstitutionalization process in considerably reducing the number of children living in institutional care and increasing the number of children entering family based care, it remains concerned that:</p> <p>(a) The number of children placed in formal care is still significant, including children up to 3 years, with the risk of family separation and institutionalisation remaining high for children from the most disadvantaged groups including Roma children and children with disabilities;</p> <p>(b) Despite provisions outlined in the 2011 Social Welfare Law that limit the number of children per residential institution to 50, reports suggest that five large scale institutions continue to lodge significantly more children;</p> <p>(c) Children with disabilities continue to be significantly over-represented in residential care;</p> <p>(d) Living conditions in large scale institutions for children with disabilities are inadequate with children reportedly suffering from segregation, neglect, limited privacy, exclusion from education and play, and subjected to the use of potentially inappropriate medical treatment and failure to provide information about or seek consent for such treatment;</p> <p>(e) Insufficient support and inadequate training for social workers along with gaps in the child protection system, has led to the separation of children from their families without proper assessment and planning with the risk of re-institutionalisation remaining high; and (f) Support for reintegration into society of children and young people leaving institutional and alternative care, including those with disabilities, is insufficient.</p>
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		<p><b>(f) Strengthen support to children and young people leaving care, including those with disabilities, to enable them to reintegrate into society, by providing access to adequate housing, legal, health and social services, as well as educational and vocational training opportunities; and</b></p> <p><b>(g) Raise awareness in society to counter the stigmatization and discrimination of children in alternative care.</b></p> <p><b>Adoption</b></p> <p>41. While the Committee notes that the number of adoptions of children with disabilities and special needs has increased, it remains concerned that the number of adoptions of children with severe disabilities and Roma children remains very low.</p> <p><b>42. The Committee recommends that the State party:</b></p> <p><b>(a) Ensure that children with disabilities and Roma children are not discriminated against in the adoption process and establish programmes to reduce misconceptions related to the adoption of children with severe disabilities and Roma children;</b></p> <p><b>(b) Ensure enhanced coordination of relevant agencies along with sufficient staff training to ensure appropriate long term support for the adopted child and adoptive parents.</b></p> <p><b>G. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) and 33)</b></p> <p><b>Children with disabilities</b></p> <p>43. While the Committee welcomes the efforts being made to ensure equality for children with disabilities, it is concerned that:</p>
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		<p>(b) A disproportionate number of children with disabilities continue to live in institutions, due to the stigmatisation of children with disabilities and a fragmented system of social assistance which does not sufficiently encourage and support families to keep their children at home;</p> <p><b>44. In light of its general comment no. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, and establish a comprehensive strategy to ensure the inclusion of children with disabilities and:</b></p> <p><b>(b) Reform the system of social assistance for children with disabilities and their families in order to improve its coherence and coordination and avoid unnecessary institutionalization and undertake awareness-raising campaigns to combat the stigmatization of and prejudice against children with disabilities;</b></p> <p><b>(c) Establish legislative and other measures to enable children with disabilities and in need of constant care and assistance to remain with their biological families through services for children and parents and/or through financial support and assistance to parents who are unable to work and generate income because they provide constant care and assistance to a child with a disability;</b></p> <p><b>(d) Give priority to measures to facilitate the full inclusion of children with disabilities, including those with intellectual and psycho-social disabilities, in all areas of public life, such as leisure activities, community-based care and the provision of social housing with reasonable accommodation.</b></p> <p><b>I. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)</b></p> <p>Refugee and asylum-seeking children 56. While the Committee welcomes the State party's continued cooperation with UNHCR, along with efforts it has made to improve reception facilities for children and to adapt the child protection system to suit the needs of asylum seeking and refugee children, it is concerned that:</p> <p>(a) Vague references in the Law on Asylum in relation to the special treatment of refugee and asylum seeking children, along with the absence of a proper identification procedure and an insufficient number of</p>
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		<p>interpreters at the border, increases the risk of unaccompanied children entering the country of not being identified as such;</p> <p>(b) Under current regulations there is no separate asylum procedure for unaccompanied children resulting in: delays in the appointment of legal representatives; inadequate interpretation services; the appointment of up to three different guardians (who are often not properly trained to act as custodians); the identification of ad hoc accommodation for unaccompanied girls while boys are initially placed in Centres for Foreign Unaccompanied Minors; long term placement of unaccompanied asylum seeking children under the age of 16 in Asylum Centres (with inadequate facilities and trained staff to effectively care for them 24/7);</p> <p>(c) Limited space in asylum centres has forced many asylum seeking and refugee children, including unaccompanied and separated children, to sleep on the streets without adequate shelter in unsafe and unsanitary conditions, while others are afraid to go to the centres for fear of being deported, leaving them vulnerable to smuggling rings reportedly operating in the State party;</p> <p>(d) Some unaccompanied and separated children have been returned, pursuant to the readmission process, without an assessment of their best interest and without being informed of their right to seek asylum in a language they can understand; and</p> <p>(e) A number of children of undetermined citizenship are currently at risk of becoming stateless in the State party.</p> <p><b>57. In light of General comment No. 6 on the treatment of unaccompanied and separated children outside their country of origin, the Committee recommends that the State party:</b></p> <p>(a) Establish fair and efficient asylum procedures which are carried out in a child-sensitive manner, in both procedural and substantive aspects, and which systematically identify and refer unaccompanied or separated children for appropriate protection and support, and consider amending relevant national legislation, including the Law on Asylum, in this regard;</p> <p>(b) Ensure full inclusion of asylum-seeking and refugee unaccompanied or separated children into the existing child protection system; provide accommodation in foster families or other accommodation</p>
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		<p>facilities adequate for their age, gender and needs in line with best interest assessments conducted on an individual basis; and, establish specialized services for children with emotional, psychiatric and behavioral problems;</p> <p><b>(c) Ensure that all asylum-seeking children are systematically provided with information on their rights and obligations, asylum procedures and available services to prevent them from resorting to sleeping without shelter for fear of deportation, and take the necessary steps to protect unaccompanied children from smuggling rings;</b></p> <p><b>(d) Ensure full respect of the principle of non-refoulement and facilitate access to the asylum system for children in need of international protection in line with Articles 6, 22 and 37 of the Convention;</b></p> <p><b>(e) Guarantee the right to acquire Serbian citizenship for all children currently residing in the State party, who would otherwise be stateless regardless of their own, or their parent’s legal status.</b></p> <p><b>Children in street situations</b></p> <p>60. While the Committee notes as positive the efforts made by the State party to address the plight of children living in street situations, it is concerned that they are not legally recognised as victims but rather, after turning 14 years of age, they are treated as offenders. The Committee is also concerned that capacities of the competent authorities and institutions are also insufficient.</p> <p>61. The Committee recommends that the State party to:</p> <p><b>(a) Assess the number of children living and/or working on the streets, and update studies on the root causes of their situations;</b></p> <p><b>(b) Implement, monitor and evaluate the Special Report on Child Begging in the Republic of Serbia with the active involvement of children in street situations;</b></p>
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		<p><b>(c) Ensure that support, particularly reintegration with family or placement in alternative care, are provided with full respect for the child’s best interests and giving due weight to their views in accordance with their age and maturity.</b></p> <p><b>Follow up to the Committee’s previous concluding observations and recommendations on the Optional Protocol on the sale of children, child prostitution and child pornography</b></p> <p>68. The Committee regrets the lack of information regarding the implementation of its previous recommendations on the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/SRB/CO/1).</p> <p><b>69. Reiterating its previous recommendations (CRC/C/OPSC/SRB/CO/1) the Committee urges the State party to expeditiously take all measures necessary to implement the aforementioned recommendations, and in particular to:</b></p> <p><b>(a) Establish in domestic legislation an explicit definition of the crime of the sale of children and ensure that it is incorporated into relevant legislation in accordance with articles 2 and 3 of the Optional Protocol;</b></p> <p><b>(b) Take all necessary measures to address the sale of children, child prostitution and sex trafficking in Roma communities;</b></p> <p><b>(c) Establish and exercise extra-territorial jurisdiction over all crimes committed under the Optional Protocol without applying the criteria of double criminality;</b></p> <p><b>(d) Strengthen its social security protection system to cover all child victims of offences committed under the Optional Protocol, including Roma children, refugee and asylum seeking children, internally displaced children, migrant children and children affected by migration;</b></p> <p><b>(e) Take all measures necessary to establish a mechanism for rehabilitation, recovery and reintegration of child victims of crimes committed under the Optional Protocol.</b></p>
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		<p><b>23 May 2016</b></p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fSRB%2fC0%2f1&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fSRB%2fC0%2f1&amp;Lang=en</a></p> <p><b>III. Principal areas of concern and recommendations</b></p> <p><b>B. Specific rights (arts. 5-30)</b></p> <p><b>Children with disabilities (art. 7)</b></p> <p>13. The Committee is deeply concerned about the number of children with disabilities living in institutions, especially those with intellectual disabilities; that they constitute nearly 80 per cent of children in institutions; and that information indicates that children with disabilities continue to be placed in institutions. The Committee is equally concerned that, despite the legal prohibition on placing infants under the age of 3 in institutions, infants with disabilities continue to be placed in institutions directly from maternity wards. It is further concerned that, despite efforts to develop foster care, the level of day care, home assistance services, housing support and counselling and therapy available within the framework of community-based services for families with children with disabilities in the State party remains insufficient. The State party also seems to have failed to develop efficient, sustainable and quality community-based care services of the same standard at local level.</p> <p><b>14. The Committee urges the State party to strengthen its efforts to deinstitutionalize children, in particular those with intellectual and/or psychosocial disabilities, prevent any new institutionalization of infants under the age of 3 and ensure a more efficient transition for boys and girls moving from institutions into families. In the interim period, it recommends that the State party provide children with disabilities with sufficient early childhood intervention and development services, initiate education programmes for the staff in institutions and develop efficient community-based care services for those leaving institutions.</b></p> <p><b>Liberty and security of the person (art. 14)</b></p>
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UPR	Date of Consideration	Link to Page
	30 Jan 2013	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/RSSession15.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/RSSession15.aspx</a>

Hague Intercountry Adoption	Accession Date	Link to Country Profile
	18 Dec 2013	<a href="https://www.hcch.net/en/states/hcch-members/details1/?sid=65">https://www.hcch.net/en/states/hcch-members/details1/?sid=65</a>

**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review