



**PERMANENT MISSION OF THE REPUBLIC OF SERBIA TO THE UNITED NATIONS OFFICE
AND OTHER INTERNATIONAL ORGANIZATIONS**

**СТАЛНА МИСИЈА РЕПУБЛИКЕ СРБИЈЕ ПРИ УЈЕДИЊЕНИМ НАЦИЈАМА И ДРУГИМ МЕЂУНАРОДНИМ
ОРГАНИЗАЦИЈАМА**

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The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and with reference to the latter's Note Verbal dated 18 February 2010, concerning the implementation of the Human Rights Council resolution 12/6 entitled "Human Rights of Migrants: Migration and Human Rights of the Child", has the honour to convey the response of the Ministry of Human and Minority Rights of the Republic of Serbia.

The Permanent Mission of the Republic of Serbia hopes that this information, although conveyed after the provisional deadline, will present significant contribution to the valuable work of the Office.

The Permanent Mission of the Republic of Serbia avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration



Geneva, 6 May 2010

OHCHR REGISTRY

07 MAY 2010

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Annex to the Study on Good Practices and Drawbacks in the Implementation of the International Framework for Child Protection in the Context of Migration

The provisions of paragraphs 1, 3 and 5 of Article 64, of the Constitution of the Republic of Serbia (the Official Gazette of the Republic of Serbia no. 98/6) lay down that children shall enjoy human rights suitable to their age and mental maturity. Children are protected from psychological, physical, economic and any other form of exploitation or abuse. As set in paragraph 4, Article 66 of the Constitution, children under 15 years of age may not be employed, nor may children under 18 years of age be employed at jobs detrimental to their health or morals.

The commitment of the Republic of Serbia to respect the rights and advance the status of children, especially in the prevention and protection from child abuse, is reflected in a number of the Government's strategic documents and laws enacted by the National Assembly of the Republic of Serbia; likewise in reform processes in the field of social and health care, education, justice system and policing, and other areas. The National Action Plan for Children was adopted in 2004 and it defines the country's general policy towards children by 2015. Protecting children from all forms of abuse, neglect, exploitation and violence has been emphasized as one of the priority objectives. The Family Law (the Official Gazette of the Republic of Serbia no. 18/2005) was enacted in 2005 and it defines and prohibits family violence and determines the State's responsibility to undertake all necessary measures to protect children from neglect, physical, sexual and emotional abuse and all forms of exploitation. The National Millennium Development Goals in the Republic of Serbia were adopted in 2007, whereby decreasing violence against women and children was set as one of the specific goals within Millennium Goal 3. In early 2008, the Government adopted the National Strategy for Youth of which a part addresses the protection of children and youth from violence. In 2008 the National Strategy for the Prevention of and Protection from Child Abuse was adopted, which is based on the value principles of the Convention on the Rights of the Child and the Constitution of the Republic of Serbia, as well as those integrated in the National Action Plan for Children. These are: the right of the child to life, survival and development, non-discrimination, the child's best interest and the child's participation. The Strategy refers to all children, without any discrimination, i.e.: regardless of their family status, ethnic background and any other social or individual characteristic of the child (sex, language, confession, nationality, mental, physical or other specificities of the child and his/her family and guardian respectively). The Strategy refers to children in all environments.

In July 2009, the Republic of Serbia adopted a strategy in managing migration, which comprehensively analyses the current status in the field of all types of migration, the legislative and strategic framework, and proposes a set of measures for their completion. One of the three Strategy objectives is to achieve international standards in the field of human rights protection for all migrants, especially vulnerable groups, such as unaccompanied children.

The Family Law determines, *inter alia*, the obligations of all health care, education and social care institutions for children, jurisdictional and other judiciary bodies, associations and citizens to inform the public prosecutor or body of guardianship about the need and reasons for the protection of the rights of the child. The Family Law also determines the right of the child to independent