

INTERNATIONAL NORMS PROTECTING CHILDREN'S HUMAN RIGHTS – CASE STUDY OF SERBIA

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Abstract

Republic of Serbia is part of the UN Convention on the Rights of the Child (1989) with its Optional Protocols and therefore, obliged to implement its provisions and to submit relevant reports to the Committee on the Rights of the Child (Committee). In 2008, the Republic of Serbia presented the Initial Report on the Implementation of the Convention on the Rights of the Child. In 2010, Serbia presented the Initial Report on the Implementation of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

The Second and Third periodic State Reports of Serbia were prepared and presented to the UN Committee at the beginning of the 2017. The UN Committee's concluding remarks on both reports were publicly available at the internet presentation of the competent ministry and, later on, the Office for Human and Minority Rights of the Government of the Republic of Serbia at the beginning of February 2017. However, also were prepared the Second and Third Alternative Periodic Report, submitted to the UN Committee. Those alternative reports were written by NGOs in Serbia united in the Coalition for Monitoring Child Rights in Republic of Serbia, consisted of sixteen NGOs in Serbia. Those developments prove the dynamism of the implementation process.

The study is dealing with the issue of the implementation level of the UN Committee recommendations related to the protection of the rights of the children in Serbia. In this context, both legal and institutional aspects are subject of the analysis.

The purpose of the study is to explore the area for improvement of the child rights policy at national level on the basis of the example of Serbia. The final outcome of this paper is to formulate relevant recommendations for the advancement of the implementation of international norms protecting children's human rights.

Key Words: *UN Convention on the Rights of the Child, implementation, Serbia*

JEL Classification: [K33]

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1. Introduction

Significance of the international norms protecting children derives from the fact that children are very vulnerable category of population. Battle for children's rights occurred in the 1960s and 1970s, when children were viewed as victims of discrimination or as an oppressed group. In the international context, "the growth of children's rights in international and transnational law has been identified as a striking change in the post-war legal landscape." (Arnott, Stephen R., 2007:808).¹ In the United States, the Progressive movement challenged courts' reluctance to interfere in family matters, promoted broad child welfare reforms, and was successful in having laws passed to regulate child labor and provide for compulsory education. It also raised awareness of children's issues and established a juvenile court system². The Convention on the Rights of the Child (CRC) is the most comprehensive document on the rights of children.³

The Convention not only addresses the granting and implementation of rights in peacetime, but also the treatment of children in situations of armed conflict. The Convention is also significant because it enshrines, "for the first time in binding international law, the principles upon which adoption is based, viewed from the child's perspective." (Van Bueren, 1995). For the purposes of the Convention, a child is defined as "every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier" (article 1).

The Convention is primarily dealing with four aspects of children's rights ("the four 'P's"): participation by children in decisions affecting them; protection of children against discrimination and all forms of neglect and exploitation; prevention of harm to them; and provision of assistance to children for their basic needs (Van Bueren, 1995). Some other scholars (Peters, 2006) refer to the Convention as being regulated the three types of children's rights, called the three 'P's: provision, protection, and participation. Key accomplishments of the Convention have been described as five-fold. It creates new rights for children under international law that previously had not existed, such as the child's right to preserve his or her identity (articles 7 and 8), the rights of vulnerable children like refugees to special protection (articles 20 and 22), and indigenous children's right to practice their culture (articles 8 and 30). In some instances, this innovation takes the form of child-specific versions of existing rights, such as those in regard to freedom of expression (article 13) and the right to a fair trial (article 40). In addition, the Convention enshrines in a global treaty rights that hitherto had only

¹ Arnott notes that "the very term 'children's rights' is both broad and loose," *id.* at 808.

² <https://www.loc.gov/law/help/child-rights/international-law.php>.

³ In further text the Convention on the Rights of the Child will be marked as: "Convention". The Convention on the Rights of the Child, with a Preamble and 54 articles, was adopted by the U.N. General Assembly on November 20, 1989, and entered into force on September 2, 1990. G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989); 28 I. L. M. 1448 (1989). For an online text, see the OHCHR Web site, <http://www.ohchr.org/english/law/crc.htm>.

been found in case law under regional human rights treaties (e.g., children's right to be heard in proceedings that affect them) (article 12).

The Convention also replaced non-binding recommendations with binding standards (e.g., safeguards in adoption procedures and with regard to the rights of disabled children) (articles 21 and 23). New obligations are imposed on States Parties in regard to the protection of children, in such areas as banning traditional practices prejudicial to children's health and offering rehabilitative measures for victims of neglect, abuse, and exploitation (articles 28(3) and 39). Finally, the Convention sets forth an express ground obligating States Parties not to discriminate against children's enjoyment of the Convention rights (Kilkelly, 2001). The right to participate in proceedings, it is argued, "together with the principles of non-discrimination in Article 2 and provision for the child's best interests in Article 3, form the guiding principles of the Convention, which reflect the vision of respect and autonomy created for all children." (Kilkelly, 2001).

The UN adopted two protocols to the Convention on May 25, 2000, the Optional Protocol to the Convention on the Sale of Children, Child Prostitution, and Child Pornography 2000 (Sex Trafficking Protocol⁴), which entered into force on January 18, 2002 and the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (Child Soldiers Protocol). The Sex Trafficking Protocol addresses the problem of sex trafficking, one among many purposes for which children are bought and sold, including, in addition, forced labor, adoption, participation in armed conflicts, marriage, and organ trade. The Preamble refers to achieving the purposes of the Convention and to the need for States Parties to implement specific provisions, among them the Convention's articles 34 and 35 on broad protections against child trafficking, sexual exploitation, and abuse. The Preamble also reflects the Conventions formulations in regard to protecting children from economic exploitation and performance of hazardous or harmful work. The Sex Trafficking Protocol (STP) also recognizes "that a number of particularly vulnerable groups, including girl children, are at greater risk of sexual exploitation" and are disproportionately represented among the sexually exploited, and expresses concern over "the growing availability of child pornography on the Internet and other evolving technologies." The STP defines and prohibits the sale of children, child prostitution, and child pornography; obliges States Parties to make certain acts punishable under their criminal law; sets forth the bases for States Parties to assert jurisdiction over actionable practices, and strengthens their ability to pursue extradition of offenders. The STP also provides for protection of and assistance to the victimized children in the criminal justice process, the best interests of the child being the guiding principle in the children's judicial treatment. The victims must have access to procedures to seek compensation for damages from those legally responsible (article 9(4)). The STP also has provisions on strengthening

⁴ The Sex Trafficking Protocol comprises a preamble and 17 articles. G.A. Res. A/RES/54/263 of 25 May 2000, <http://www.ohchr.org/english/law/crcsale.htm>.

international cooperation in regard to sex trafficking involving children and on reporting requirements for States Parties (article 12).

The Child Soldiers Protocol⁵, which entered into force on February 12, 2002, reaffirms in its Preamble that “the rights of children require special protection,” and notes “the harmful and widespread impact of armed conflict on children”. It also refers to inclusion as a war crime in the Rome Statute of the International Criminal Court “the conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities in both international and non-international armed conflicts.” The Child Soldiers Protocol extends the minimum age requirement for direct participation in armed conflict and conscription to eighteen (articles 1 and 2, respectively) and forbids rebel or other non-governmental armed forces “under any circumstances,” to recruit or to use in hostilities persons under that age (article 4). It does not prescribe the age eighteen minimum for voluntary recruitment, but requires States Parties to raise the minimum age for it from fifteen (as set out in article 38, paragraph 3, of the Convention i.e., to sixteen years of age) and to deposit a binding declaration setting forth the minimum age permitted for voluntary recruitment and describing safeguards adopted to ensure voluntariness (article 3(1-3), in part).

2. Implementation of the UN Convention on the Rights of the Child in Serbia

Republic of Serbia is part of the UN Convention on the Rights of the Child (1989) with its Optional Protocols and therefore, obliged to implement its provisions and to submit relevant reports to the Committee on the Rights of the Child (Committee). In 2008, the Republic of Serbia presented the Initial Report on the Implementation of the Convention on the Rights of the Child. In 2010, Serbia presented the Initial Report on the Implementation of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

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⁵ The Child Soldiers Protocol, comprising a Preamble and 13 articles, G.A. Res. A/RES/54/263 of 25 May 2000, <http://www.ohchr.org/EN/pages/home.aspx>.

Ratified international conventions are directly implemented in the Republic of Serbia, and the laws on ratification of international treaties are only second to the Constitution as per their legal force. However, direct implementation of international conventions is still brought into question in practice, due to objective as well as subjective limitations. In the majority of cases it is not at all possible because most of the provisions are not self-executing.

In 2008, the UN Committee commended Serbia's National Plan of Action for Children. Based on the concluding remarks, the Republic of Serbia should have "provided for a comprehensive alignment of strategies with the National Plan of Action for Children," ...taken all the necessary steps with a view to providing an adequate and specified distribution of budget funds, indispensable qualified personnel, and mechanisms for monitoring and evaluating the quality (progress/ omissions) of NPA implementation.

With the NPA expired at the end of 2015, the Government of the Republic of Serbia has not yet made initial steps towards formulating and adopting new policies regarding children. However, the UN Committee welcomes the progress achieved by Serbia, as the State party in various areas, including the adoption of the National Strategy for Prevention and Protection against Discrimination 2013-2018 and other institutional and policy measures related to children's rights since its last review⁶. While the Committee welcomes the efforts made by Serbia, as the State party to reform legislation related to the rights of the child, it remains concerned at the inadequate harmonization of legislation, combined with the absence of a comprehensive Children's Act noting that the reluctance to enact such an Act poses a significant challenge to advancing children's rights in the State party⁷.

The greatest problem in the implementation of the adopted strategic documents is the failure of state administration to completely grasp their essence. Problems are also posed by insufficient capacities for designing and preparing both work plans and the accompanying budget. All the aims and measures envisaged by strategic documents should from the moment of the irradiation be consistently reflected in the annual plans of the Government, relevant ministries, interested direct and indirect budget users, local self-governments and civic associations, which would in turn have direct impact on budget planning⁸. Institutional requirements - The Council for Child Rights was completely inactive in the period between 2012 and early 2015, which as a consequence caused the absence of any activities demanding multi-sector approach towards implementing the NPA. At the beginning of 2015, the new Council for Child Rights was formed.

⁶ Concluding observations on the combined Second and Third periodic reports of Serbia, UN Committee on the Rights of the Child, CRC/C/SRB/CO/2-3, 3 February 2017.

⁷ *Ibidem*.

⁸ Second and Third Alternative Periodic Report on the Implementation of the Convention on the Rights of the Child in the Republic of Serbia (2008 – 2014), Child Rights Centre, Belgrade, 2015, pp. 11-12.

In the light of its general comment No 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the UN Committee recommends that the State party strengthen its efforts to ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions as well as in all policies, programs and projects that are relevant to and have an impact on children. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration.

Impact assessment of policies and practices on the realization of child rights is not developed in the Republic of Serbia. The Government formed the Council for Monitoring the Implementation of Recommendations of UN Human Rights Mechanisms in the course of 2015, and this body deals with the above stated issues. Competent ministries do not have any mechanisms for continuous monitoring of the undertaken international obligations or concluding remarks and recommendations given by international human rights organizations. Certain improvement was nevertheless made with the institution of the Committee on the Rights of the Child as a special permanent working body of the National Assembly of the Republic of Serbia. The work of the Committee has in the previous period been of significant importance for monitoring the implementation of certain legal solutions that are important for realization of effective child's policy.

However, there is no systematic collection of data on children in the field of child rights, and these data are gathered from various sources, mostly from various sectors. Non-systematic and incomplete collection of data reflects on the insufficiently precise or comprehensive creation of policies regarding children⁹.

The citizens of Serbia are aware of certain level of the existing discrimination: 65 % of citizens think that discrimination is present in Serbia to a considerable or large degree, and according to the attitudes of the population, the groups most prone to discrimination include women (42 %), Roma (41.5 %), persons with disabilities (28.4 %), poor people (27 %), the elderly (24,5 %), children (18,6 %) and sexual minorities (16,4 %)¹⁰. Nevertheless, citizens are beginning to recognize the importance of the Commissioner for Protection of Equality as an institution and therefore number of complaints made to the Commissioner is constantly raising.

Therefore, it is significant to 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

⁹ Second and Third Alternative Periodic Report on the Implementation of the Convention on the Rights of the Child in the Republic of Serbia (2008 – 2014), Child Rights Centre, Belgrade, 2015, p. 18.

¹⁰ A survey of public opinion carried out in 2013 by NGO CeSID, in cooperation with UNDP and the Commissioner for Protection of Equality of the Republic of Serbia.

children with HIV/AIDS and to ensure that children living in rural areas have access to quality education, adequate health care and housing. The UN Committee¹¹ urges the State party (Serbia) to: (a) Conduct campaigns at all levels and in all provinces aimed at addressing the negative attitudes towards the Roma in society at large and take effective measures to prevent violence and hate speech against Roma; (b) Assess the particular situation of Roma children and take measures to facilitate their access to social protection measures and social integration programmes, including by improving cultural sensitivity of services provided and readjusting the scope of social programmes.

Certain efforts have been made in the previous period towards improving the principle of child's best interests. However, problems are posed by the practical implementation of this principle, especially if one bears in mind that the content of the principle of child's best interests is not defined within the Serbian legislative framework, and that there are no instructions whatsoever for the implementation of this principle in individual sectors, which results in the lack of understanding of the principle, even on the part of professionals. This was proved by the survey on the implementation of child's best interests in certain family and criminal law cases¹².

3. Relevant recommendations – guidelines for best practice

Comprehensive recommendations for the advancement of the implementation of international norms protecting children's human rights start from the point that it is primarily important to adopt a consistent policy framework that will serve as a basis for effective budgeting and monitoring of respective policies. Furthermore, it is necessary to ensure consultations with all relevant stakeholders, including children, to assess the impact of previous policy measures in order to identify any potential shortcomings for improvement. The new policy framework – general plan is to be supported with the appropriate elements for its application including sufficient human, technical and financial resources and the effectiveness of its implementation is to be regularly assessed.

In relation to relevant institutional factors, strengthening the role of the national Council for Child Rights as the principal institutional coordinating mechanism at the inter-ministerial level with a clear mandate and sufficient authority to coordinate all activities related to the implementation of the Convention at cross-sectoral, national and local levels, is much needed. The Council is to be provided with the necessary human, technical and financial

¹¹ UN Committee on the Rights of the Child, Concluding observations on the combined second and third periodic reports of Serbia, 3 February 2017, Adopted by the Committee at its seventy-fourth session (16 January - 3 February 2017), CRC/C/SRB/CO/2-3.

¹² *Towards Child-Friendly Justice - The position of a child in civil court proceedings in Serbia*, Child Rights Centre, Belgrade, 2015, and *Towards Child-Friendly Justice - Protection of child victims in criminal proceedings and position of the practice in the Republic of Serbia*, Child Rights Centre, Belgrade, 2015.

resources for its effective operation. Moreover, it is important to encourage systematic scrutiny of the adoption and implementation of policies and recommendations of the national Committee on Child Rights of the National Assembly, in relation to the legislation relevant to children.

With reference on the right of the child to freedom from all forms of violence and all forms of violence against children, the UN Committee urges the State party to: (a) Establish legislative and other measures to ensure mandatory compliance with the General Protocol and the Special Protocols on the Protection of Children from Abuse and Violence, and to ensure that sufficient human, financial and technical resources are available to ensure implementation; (b) In coordination with the office of the Ombudsman, in its capacity as National Preventive Mechanism, to establish a monitoring mechanism to ensure that all children in institutions and alternative care are free from all forms of torture, inhumane or degrading treatment, and ensure that they have access to a confidential, safe and child-friendly mechanism for complaints related to their deprivation of liberty, conditions of detention/internment and treatment; (c) Ensure that preventative mechanisms are established to protect children with intellectual, and other psychosocial impairment, from any kind of physical or sexual violence and establish compulsory training courses on violence against children for all relevant professionals; (d) Strengthen national programs to address violence in schools with support of the Ministry of Education and teacher training agencies to establish standards, mentoring and peer review violence in schools, and provide training, including for parents on the risks of (cyber) bullying; (e) Develop a public awareness campaign as a means of changing prevailing attitudes in relation to violence against children and move towards zero tolerance; (f) Ensure efficient cooperation, coordination and data sharing between child protection services, the police and justice system; (g) Seek technical cooperation from UNICEF and the World Health Organization as a means of addressing the aforementioned issues¹³.

The UN Committee recommends that the State party: (a) Further strengthen awareness-raising and education programs - including campaigns - with the involvement of children, in order to formulate a comprehensive strategy for preventing and combating child abuse; (b) Establish a national database on all cases of domestic violence against children, and undertake a comprehensive assessment of the extent, causes and nature of such violence; (c) Ensure the allocation of adequate human, technical and financial resources to the Deputy Ombudsman to enable it to implement long-term programs for addressing the root causes of violence and abuse; (d) Encourage community-based programs aimed at preventing and tackling domestic violence, child abuse and neglect, including by

¹³ UN Committee on the Rights of the Child, Concluding observations on the combined second and third periodic reports of Serbia, 3 February 2017, Adopted by the Committee at its seventy-fourth session (16 January – 3 February 2017), CRC/C/SRB/CO/2-3.

involving former victims, volunteers and community members, and providing training support to them¹⁴.

In light of culminated migrant crisis in Europe (Gasmi, Zecević, 2016: 66, 67) and in relation to the General comment No. 6 of the UN Committee on the treatment of unaccompanied and separated children outside their country of origin, the State party is to implement the following measures: (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; (b) Ensure full inclusion of asylum-seeking and refugee unaccompanied or separated children into the existing child protection system; provide accommodation in host families or other accommodation 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; (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; (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 UN Convention; (e) Guarantee the right to acquire 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. The UN Committee recommends that the State party ensure full implementation of the new regulations that enable immediate birth registration of children whose parents do not have personal documents and initiate procedures to establish the nationality of children born by stateless parents or those whose nationality is unknown.

Sexual exploitation and trafficking of children is very difficult issue and urgently needed to be addressed by all states. However, very often, as a result of limited national resources, the identification of victims remains a challenge, particularly among asylum seeking and refugee children. In some states there is no system to provide specialized care, support and accommodation for child victims of trafficking. Based on those facts, the UN Committee recommends that the State party is to: (a) establish adequate and coordinated mechanisms for identification and protection of child victims of trafficking, including systematic and timely information sharing among relevant officials, and strengthen the capacity of police officers, border guards, labour inspectors and social workers to identify child victims of trafficking and (b) ensure that child victims of trafficking are provided with specialized care, support and appropriate accommodation.

¹⁴*Ibidem.*

Corporal punishment of children is prohibited by the Recommendation of the UN Committee (2006, No. 8), so it urges each State Party to: (a) Explicitly prohibit corporal punishment in legislation;(b) Ensure that the prohibition of corporal punishment is adequately monitored and enforced in all settings;(c) Promote positive, non-violent and participatory forms of child-rearing and discipline through awareness campaigns;(d) Ensure that offenders are brought before the competent administrative and judicial authorities.

Besides, there are many cases of harmful practices, such as cases involving child marriages in some ethnic groups, particularly Roma girls, but also in other nationalities. Therefore it is necessary to provide child victims with shelter as well as appropriate rehabilitation and counselling services, and to develop awareness raising campaigns highlighting the harmful consequences of child marriage.

On public budgeting for the realisation of children's rights, the UN Committee recommends that the State party¹⁵: (a) Establish a budgeting process which includes a child rights perspective and specifies clear allocations to children in the relevant sectors and agencies, including specific indicators and a tracking system; (b) Establish mechanisms to monitor and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated to the implementation of the Convention; and (c) Ensure transparent and participatory budgeting through public dialogue, especially with children, and for proper accountability of the authorities, including at the local level; (d) Conduct a comprehensive assessment of the budget needs for children and allocate adequate budgetary resources, increase the budget allocated to social sectors, in particular in the areas of education and social assistance, and address disparities on the basis of indicators related to children's rights.

Related to the standard of living, it is recommendable that the state should consider holding targeted consultations with families and children, including those in vulnerable situations, particularly Roma families, as well as children's rights civil society organizations, with a view to strengthening the measures for reducing child poverty. In addition to that, it is important to strengthen the support to children living below the poverty line, in particular single-parent families, families with four or more children and families with children with disabilities, and ensure that social protection measures provide for the real costs of decent living of the children, including expenses relevant to their right to health, nutritious diet, education, adequate housing and water and sanitation. Besides, in this context it is necessary to review relevant legislation, policies and programmes on housing in order to prevent and eliminate homelessness, taking into account special needs of children, including Roma children, children with disabilities, their families and young people leaving alternative care. Social care measures are to include the review of the adequacy of cash benefits for children from the point of securing a minimum standard of living and to ensure access in terms of information, outreach and user-friendly procedures. Therefore, it is essential to

¹⁵*Ibidem.*

simplify the administrative procedures and provisions of support to access cash benefits for families living in the most vulnerable situations.

4. Concluding remarks

General measures of implementation of international norms protecting children's human rights at national level require the following: (a) expeditiously strengthen information management and data collection systems at both central and local government levels to cover all areas of the UN Convention. Data should be disaggregated by, among others, age, sex, disability, geographic location, ethnic and national origin and socioeconomic background in order to facilitate analysis on the situation of all children, particularly those in situations of vulnerability; (b) ensure that the data and indicators are shared among relevant ministries and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the UN Convention.

The role of independent human rights institutions at national level (non-governmental organizations - NGOs) in this context is indispensable, but only if they are dealing with relevant issues in synergy with government responsible institutions and agencies. National NGOs can contribute significantly to increase the awareness of the Convention throughout the country, also by paying particular attention to remote and rural areas and children from minority groups.

The role of national Ombudsperson for the Rights of the Child to specifically deal with children's rights and which has a mandate to receive, investigate and address complaints by children in a child-sensitive manner, with sufficient human, financial and technical resources, is vital institutional element in children's rights protection. Within the Ombudsman's role as National Preventive Mechanism, it is important to ensure the privacy and protection of child victims, particularly when monitoring and follow-up visits to institutions are undertaken.

Adequate and systematic training and/or sensitization on children's rights for professional groups working with and for children, such as parliamentarians, judges, lawyers, health personnel, teachers, school administrators, academics, social workers, media professionals and others is required for the optimal best practice model of children's rights protection and for implementation of relevant international norms.

In this regard it is important to pay particular attention to the systematic inclusion of teaching of the UN Convention's principles and provisions, at all levels of the school curricula and to give special attention to the participation of children in the dissemination of their rights. Besides, the media should be encouraged to ensure its sensitivity to children's rights as well as the inclusion of children in the development of these programs. In accordance with article 12 of the Convention and in light of the UN Committee's general comment No. 12 (2009) on the right of the child to be heard, the children's views are to be given due consideration, in the family, at schools, in the courts and in all relevant administrative and other processes concerning them through, *inter alia*, the

adoption of appropriate legislation, the training of professionals, the establishment of specific activities at schools and general awareness-raising.

Global aims (General Comment No. 1, 2001 UN Committee) of education require that by 2030 all girls and boys complete free, equitable and quality primary and secondary education, and have access to quality early childhood development, care and pre-primary education. Based on those goals, national governments are invited to develop programmes, along with monitoring and evaluation of such programmes to reduce drop-out rates and to strengthen efforts to promote inclusive education for all children, particularly the most vulnerable.

Finally, to conclude with the children's rights in juvenile justice, all states should bring national juvenile justice system fully into line with the UN Convention and other relevant standards. In particular, mostly needed is to expeditiously establish specialized juvenile court facilities and procedures with adequate human, technical and financial resources, and to ensure that specialized judges continue to receive appropriate training. In this framework, it is vital to ensure the provision of qualified and free legal aid to children in conflict with the law at an early stage of the procedure and throughout the legal proceedings. Alternative measures to detention, such as diversion, probation, mediation, counselling, or community service, are to be fully implemented wherever possible. Children detention is to be used as a last resort and for the shortest possible period of time and to be reviewed on a regular basis with a view to withdrawing it. In cases where detention is unavoidable, that detention conditions are to be compliant with international standards, including with regard to children's access to education and health services.

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