

Child Labor – Prevention, Identification and Intervention: Professional and Methodological Guidelines for Professionals in Social Protection System

1. Introduction

Pursuant to the *Instruction on Conduct of Centers for Social Work in Protection of Children against Child Labor* adopted by the Ministry of Labor, Employment, Veteran and Social Affairs in September 2017, the Republic Institute for Social Protection was mandated to deliver data listed in the Instruction to the line ministry twice a year.¹ Reporting started in early 2018, and by September 2020 five reports were produced on the basis of the collected data. In the first half of 2018, only 5 Centers for Social Work (CSWs) identified 12 children as victims of child labor; in the first half of 2019, 4 CSWs identified 4 children, followed by 4 CSWs identifying 8 children, and in the first half of 2020, no children were identified by CSWs as victims of child labor. These data show that social protection experts need to be provided with more sensitive tools for identifying victims of child labor or children at risk of excessive, hard or the worst forms of labor.

One of the reasons this phenomenon often remains unidentified is the way the data on social protection service beneficiaries are statistically monitored and recorded. A high number of victims of child labor are most probably already registered with CSWs on different grounds, e.g., as members of families entitled to financial social benefit, as well as children from families with multiple functionality issues, or affected by family conflicts, or as juvenile offenders. However, it is usually not recognized that these children are also vulnerable due to child labor, and that is not rare for them to perform hazardous work which affects their physical and psychological development, as well as their schooling. It is only rarely that, following a school's report on truancy, CSWs get involved recognizing that the child is vulnerable and that they are absent from school because they are in a situation where they are **forced (coerced), incited (encouraged)** or due to adverse social and financial circumstances **compelled (obliged)** to work, and furthermore, engaged on jobs that are not appropriate for their age and development.

Simultaneously, the labor inspection is included in the identification of child labor through relevant normative acts, but in the observed period, the CSWs have not received a single report from labor inspectors. A small number of children identified in the social protection system refers to those working on the street (washing car windows, selling things, begging). There have been no records of a child involved, for example, in domestic work that is too hard for their age or hazardous activities, such as waste collection, or being exposed to physical or chemical hazards, such as excessive noise, unfavorable climate conditions, pesticides, tobacco smoke, nor records of children working in dangerous settings, for example, using dangerous machinery,

¹ Instruction on Conduct of Centers for Social Work in Protection of Children against Child Labor, No. 021-02-00159/2017-01.

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in awkward and non-physiological body position (standing or kneeling for a long time), on busy roads, etc.

Box 1. Definitions

Child work refers to children in economic activities (defined according to SNA)², which does not harm the health and well-being of children^{3,4}.

Light work is work suitable for the age, psychological and physical abilities of 13-14 year-old children (in undeveloped countries for children of 12-13 years of age) which does not interfere with their education. Serbia has not yet developed a list of light jobs for children, so this area currently remains unregulated.⁵

Decent work of children includes engagement of minors who, after turning 15, participate in safe and productive work, with full respect of labor rights (including respect of special occupational health and safety measures related to minors and young workers), appropriate income (earnings), social insurance, social dialogue, freedom to join trade unions, collective bargaining and participation in it.⁶

Child labor refers to the situations in which a child is too young to work on jobs that are mentally, physically, socially or morally hazardous or harmful and which interfere with the process of that child's primary and higher education. Minimum age limit for employment in Serbia is 15 years, and it is forbidden to hire children under 18 years of age on jobs defined as the worst forms of child labor.

Worst forms of child labor are regulated by ILO Convention No. 182, and they include slavery or practices similar to slavery, involvement of children in prostitution or pornography, exploitation of children for illicit activities (production and trafficking of drugs), as well as hazardous child labor⁷,

² SNA or the System of National Accounts (SNA) is the internationally agreed standard set of recommendations on how to compile measures of economic activity. Production is the physical process implemented within the responsibilities, control and management of an institutional unit, where labor and resources are used to transform inputs and services into produced outputs and services. SNA covers all production really intended for the market, whether through sale or exchange. It also covers all goods or services provided free of charge to individual households or collectively to the community by government units or non-profit institutions serving households (EC / IMF / OECD / UN / UK 2009). SNA excludes unpaid work in (one's own) household.

³ ILO (2002). Every Child Counts. New Global Estimates on Child Labor. Geneva: ILO/IPEC.

⁴ This relates to market and non-market production, including resources for own consumption. Children engaged in domestic work in other people's homes are considered economically active, while the work of children doing household chores in their own homes (e.g., caring for household members, cleaning and carrying out minor household repairs, cooking and serving meals, washing and ironing clothes) is not considered as economic activity. See: ILO (2017). *Global estimates of child labor*. Geneva: ILO.

⁵ ILO Convention 138 – Minimum Age Convention (1973), ratified in 1982, in effect

⁶ International Labor Office (2006). Decent working time: New trends, new issues. Geneva: ILO. Available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_071859.pdf

⁷ ILO Convention 182 – Worst Forms of Labor Convention (1999), ratified in 2003, in effect (Law on the Ratification of ILO Convention No. 182 on Worst Forms of Child Labor and ILO Recommendation No. 190 concerning the prohibition and immediate action for the elimination of the worst forms of child labor (published in the Official Gazette SRY – International Agreements, No. 2 of 31 January 2003); ILO Convention 138 concerning Minimum Age for Admission to Employment (1973), ratified in 2000, in effect (Law on the Ratification of ILO Convention No. 138 concerning Minimum Age for Admission to Employment, Official Gazette SFRY – International Agreements, No. 14/82); ILO Convention 29 – Forced Labor Convention (1930), ratified in 2000, in effect (ILO Convention no. 29 concerning Forced or Compulsory Labor, Official Paper of the Kingdom of Yugoslavia, no. 297/1932).



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which has been regulated by a special Decree in Serbia.⁸ In line with the ILO Convention, the worst forms of child labor must be eliminated through specific activities and programs⁹, which is also covered by SDG targets in line with the UN Agenda 2030.¹⁰

Hazardous child labor represents one of the worst forms of child labor, referring to the situations where children are working on jobs which, due to their nature or the way they are performed, are likely to endanger the health, safety or morality of the child. These jobs include threatening, unhealthy and inappropriate working conditions which may lead to death, injury, physical or psychological harm to the child whose body and mind are still developing, and which usually become obvious only when the child becomes an adult. This includes certain types of child labor in agriculture, mining, construction, trade, accommodation and food services sectors, but also in other economic activities, exposing the child to physical, chemical, psychological and other hazards, which in Serbia is regulated by the Decree on Hazardous Child Labor.¹¹

Child trafficking includes:

- a) A series of **preparatory actions**, such as recruitment, transportation, transfer, harboring or receipt, sale, purchase, sales agency, hiding or keeping the child (person under 18 years of age),
- a) for the **purpose of exploitation** of labor, forced labor, illicit activities, prostitution and other forms of sexual exploitation, begging, use in pornography, slavery or practices similar to slavery, for harvesting organs or body parts or for participation in armed conflicts,
- b) by using **coercion**, which is a crime, regardless of whether a child has been physically forced or threatened. Due to specific vulnerabilities of children, apart from force or threat, deceiving or maintaining deception; abuse of power, trust or dependency relationship, a child's hardship; taking their personal documents, or other actions to achieve the child's obedience are also considered as means of control.^{12,13}

⁸ Decree on Hazardous Child Labor Official Gazette RS. 53/2017. The purpose of the Decree is to ensure the protection of children from hazardous labor, in accordance with the regulations on the rights of the child, as well as the regulations in the area of work, occupational safety and health, healthcare and education. Hazardous child labor, in addition to harmfulness, processes and jobs stipulated by the Rulebook on preventive measures for safe and healthy work of young persons, includes also harmfulness, circumstances and economic activities in an addendum to this Decree, as its integral part, and it contains: 1) List of hazardous exposures for children (physical and chemical); 2) List of hazardous circumstances for children; 3) List of hazardous economic activities for children; 4) List of hazardous economic activities for children under the age of 15; 5) List of hazardous economic activities for children in the process of vocational education.

⁹ ILO (2011). Eliminating the worst forms of child labor: A practical guide to ILO Convention No. 182. Handbook for Parliamentarians No. 3, 2002.

¹⁰ Sustainable Development Goals also refer to the elimination of worst forms of child labor, within the Target 8.7: Take immediate and effective measures to eradicate forced labor, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labor, including recruitment and use of child soldiers, and by 2025 end child labor in all its forms. Available at: <https://unstats.un.org/sdgs/metadata/files/Metadata-08-07-01.pdf>

¹¹ Decree on Hazardous Child Labor. Official Gazette RS, No. 53/2017, available at: <http://www.pravno-informacioni-sistem.rs/SIGlasnikPortal/eli/rep/sgrs/vlada/uredba/2017/53/2/reg>

¹² Criminal Code, Article 388. Official Gazette RS, No. 85/05, 88/05 - corrigendum, 107/05 - corrigendum, 72/09, 111/09, 121/12, 104/13, 108/14, 94/16, 35/19.

¹³ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, International Agreements, No. 6/2001.



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Article 32 of the United Nations Convention on the Rights of the Child (CRC)¹⁴ stipulates the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

Serbia's Family Law¹⁵ stipulates the right of the child to be protected from all forms of abuse, violence and exploitation. An unequivocal prohibition of certain types of child work is contained in the Family Law section on deprivation of parental rights (Article 81), which refers to parents whose **active** actions endanger the basic rights of the child to their unobstructed physical, mental and intellectual development. As example are explicitly stated situations directly or indirectly linked to child labor, in which (one or both) parents:

- a) Exploit the child forcing them to overwork
- b) Force the child to perform work that is harmful to the morality, health or education of the child (illicit work)
- c) Encourage the child to commit crimes
- d) Encourage the child to adopt bad habits.

Many parents **encourage** children in different ways (creating the climate of necessity and normality, providing incentives, pointing out consequences of not working or benefits from work and similar) to engage in inappropriate or even hazardous labor, without being actually aware that this is directly or in the long run detrimental to their child ("I did the same"; "This is the way for a child to acquire work habits and become an adult man/woman"; "Those who work are those who eat"; "We all depend on..."; "We must all contribute"; "Our crops will go to waste, everyone must work", etc.).

Other parents, due to various unfavorable personal, familial, social and other circumstances, **passively neglect** a child's needs, leading them to actively take over the responsibility for their own survival as well as the survival of those close to them (usually younger siblings, ill parents, etc.). These children are engaged in arrangements that may include work which is inappropriate, hazardous and illicit (from the aspect of both labor and criminal law), but can also, because of their vulnerability and exposure, become victims of trafficking in human beings (THB).

In the third situation, parents may normalize and qualify child labor as a "**necessary evil**", which must be done for the survival of the family and its (more vulnerable) members under the given circumstances, even though they are aware that is immediately and in the long run better for the child not to be engaged in such work, to pursue education, to have a more appropriate childhood and a better future. Some of these parents work together with the children on jobs that are more or less inappropriate for children (in their own arrangement or for an employer), in order to provide safety and support to their children. Examples of such jobs include engaging children in the collection of secondary raw materials, as a family arrangement, seasonal work performed together by parents and children on agricultural holdings etc. The situations

¹⁴ Law on Ratification of the United Nations Convention on the Rights of the Child, Official Gazette SFRY - International Agreements, No. 15/90 and Official Gazette FRY - International Agreements, No. 4/96 and 2/97.

¹⁵ Family Law (2005) Official Gazette RS, No. 18/2005, 72/2011 - another law and 6/2015.

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described above (including a variety of individual specificities and variations), illustrate the complexity of identification and assessment processes faced by social protection professionals.

These Professional and Methodological Guidelines was developed to serve experts working in:

- Centers for Social Work
- Centers for Foster Care and Adoption
- Institutions for the accommodation of children and young persons
- Center for Human Trafficking Victims' Protection
- Other state or non-governmental social protection service providers

Professionals engaged in social protection system organizations, in their own specific ways, participate in organization of prevention-related activities, identification of victims of child labor, and the assessment of their needs, strengths and risks, which provides the baseline for integrated approach to planning and providing support to these children and their families. Good communication between different institutions in the social protection system also facilitates coordination with other systems and stakeholders in the community.

The process of situation analysis, needs' assessment, development and validation of indicators, procedures and methodologies used to produce these Professional and Methodological Guidelines included an intensive and continuous series of consultations. The experiences and dilemmas were exchanged with practitioners, activists, analysts, and policy and decision makers working in this specific area of child protection. The collective or individual consultations with the representatives of at least 15 relevant government institutions, governmental and non-governmental organizations, civil society organizations and institutions, and with around 200 experts and activists were conducted during 2019 and 2020. All of them contributed to the development of these Professional and Methodological Guidelines. This process also included a review of existing procedures and collection of data on difficulties in the implementation of current regulations and measures¹⁶, with the aim of making these Guidelines clear, realistic and applicable, but also tailored to needs of social protection system professionals and victims of child labor in Serbia.

¹⁶ Including Instruction on the conduct of the centers for social work in the protection of children from child labor, No br. 021-02-00159/2017-01.

2. How does the social protection system come into contact with victims of child labor?

As competent institutions for child protection, the CSWs learn about children involved in labor that is mentally, physically, socially or morally hazardous or harmful and which interferes with their education in one of the following ways:

- 1) Alerts from **schools** and other educational institutions about the child having difficulties with class attendance and/or behavior, regardless of the way in which they manifest. School drop-out and frequent absence are strong indicators of possible child labor.
- 2) **Police** reports about a child found on the move, unaccompanied by responsible adults, homeless or working on the streets.
- 3) Reports from the **Labor Inspectorate** about a child under 15 years of age found working in an enterprise, or a child over 15 years of age performing activities unallowed for children, i.e., hazardous (physically, chemically or morally harmful) jobs. The Labor Inspectorate is not competent in the cases of child labor in the household, so such reports are forwarded to the competent CSW, and if the child is under 15 years of age, it is also obligated to inform the relevant public prosecutor.¹⁷
- 4) Alerts on the condition and needs of the child received from **Centers for Foster Care and Adoption, institutions for child accommodation** (children's homes and shelters), **Center for Human Trafficking Victims' Protection, other licensed social protection service providers and NGOs active in this area**, working with various vulnerable groups of children and families.

Professionals in the **centers for foster care and adoption** usually have direct and regular contact with children in foster care in the households where this sensitive group of children lives. This provides them with the opportunity to educate foster parents and the children about appropriate working arrangements for children and to notice signs of a child being overworked, or working in inappropriate or hazardous settings in the household, agricultural holding, etc.

Employees in **institutions for child accommodation and other licensed social protection service providers, as well as NGOs and/or CSOs active in this area**, daily encounter children who, due to their family situation and personal circumstances, are in risk of being persuaded, encouraged or forced to accidental, occasional or chronic engagement in inadequate, excessive or hazardous labor. Professionals in specialized social protection institutions have the opportunity to implement various measures to prevent child labor among the children they work with (creating a safe environment in the institution and among service providers, sharing information, educating, empowering, supporting their school education, supporting them to find

¹⁷ 17a) Instruction on Conduct of Labour Inspection in the Protection of Children from Child Labour, Ministry of Labor, Employment, Veteran and Social Affairs, No. 021-02-00158/2017-01.; 17b) Standard operating procedures for dealing with victims of trafficking in human beings. Office for Coordination of Activities in the Fight against Trafficking in Human Beings in the Police Directorate of the Ministry of Internal Affairs of the Republic of Serbia, December 12, 2018. Available at: <http://www.mup.gov.rs/wps/wcm/connect/5993547d-97bd-4a0f-9669-43e5962097fd/01.SOP+final+250119.LAT.pdf?MOD=AJPERES&CVID=mBR-obW>.

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adequate work, etc.), to see signs of possible child labor (especially physical and behavioral), or to notice the child labor effects on a child. In the situation when they identify signs of possible child labor, professionals need to review the identified and detect other related indicators, analyses data collected, and inform the competent CSW on their findings, for further coordination on the case and the delivery of measures to protect the child. The Center for Social Work then involves partners from different institutions and organizations that have identified the child, or those whose resources, activities, interventions and services can be used to help in providing support and protection for the child.

Professionals in the **Center for Human Trafficking Victims' Protection**, police, Public Prosecutor's Office, labor inspectors, CSWs, other social protection institutions, CSOs and others, get information on presumed THB victims, who are often minors, thus also encountering victims of child labor which does not include THB, where they record these circumstances in the beneficiaries' files. In such circumstances, the competent CSW, which, according to the Standard Operational Procedures,¹⁸ needs to be immediately informed about a child who is a potential THB victim, takes over the child's case, after confirming the absence of a THB and identifying indication of child labor.

- 5) After receiving a request from a beneficiary or a report by other institutions or citizens, and also during the regular work by **CSW** professionals in supporting children and families in relation to exercise of their rights and use of social protection services, or implementing the measures within the family-law or criminal-law protection under the competences of the Guardianship Authority.

This particularly refers to the circumstances that can occur during **entitlement procedures regarding cash social benefits and other material benefits**, as these cases refer to the families recognized as the poorest¹⁹ in the society and there is high risk for children from these families to start generating income too early, work too much and drop out of the education process.²⁰ During their home visits to verify living conditions of the family, the CSW professionals who are in charge of material benefits have the opportunity, but also an **obligation**, to check whether the child is attending school regularly, what resources are available to the family, and whether the child/children participate and contribute to the family's livelihood and in what way.

¹⁸ Standard operating procedures for dealing with victims of trafficking in human beings. Office for Coordination of Activities in the Fight against Trafficking in Human Beings in the Police Directorate of the Ministry of Internal Affairs of the Republic of Serbia, December 12, 2018. <http://www.mup.gov.rs/wps/wcm/connect/5993547d-97bd-4a0f-9669-43e5962097fd/01.SOP+final+250119.LAT.pdf?MOD=AJPERES&CVID=mBR-obW>

¹⁹ Republic of Serbia Government Social Inclusion and Poverty Reduction Team (2017). Poverty in the Republic of Serbia 2006-2016. Revised and new data, available at: http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2017/09/Siromastvo_u_Republici_Srbiji_2006-2016_godine_revidirani_i_novi_podaci.pdf

²⁰ Jovanović, V., Čekić Marković, J., Veselinović, Ž. Vušurović, A., & Jokić, T. (2016). *How to get to the school of social care - a study on the effects of prevention and intervention measures to prevent students from dropping out of the educational system of the Republic of Serbia*. Belgrade: Center for Educational Policies, available at: http://www.cep.edu.rs/public/Kako_do_skole_drustvene_brige3.pdf

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If there is concern or a social worker finds that a child performs a work that can interfere with their development and/or education, this should unequivocally be **recorded in the following documentation**:

- Case notes list (including contact and progress notes)
- CSW assessment report for cash social benefits, which is used to determine potentially lost income, the number of household members and other facts that are not recorded in official records and are used to determine the socio-economic status of the family (form “NSP-NM” meaning *Cash Social Benefits – Findings and Opinion* in the part related to the social worker’s opinion and suggestion), and
- Other appropriate documents

After findings and facts are entered into beneficiaries’ files, case notes with all information need to be discussed with colleagues, the CSW manager, as well as the supervisor from the service for children and young persons. The aim of this discussion is to determine **which interventions within their scope of work should be undertaken by the social worker in charge of material benefits**, or whether, in addition to these measures, the children and young persons’ service should also be involved, which actually means initiating the **case management procedure** in the CSW.

The social worker in charge of material benefits may consider the following measures:

- a) Providing information and advice to parents and children on other rights and services or forms of assistance which they are entitled to, including the use of various forms of financial benefits (cash social benefits, one-off assistance, assistance for the purchase of heating fuel, school supplies, books and educational resources, clothes, shoes; access to soup kitchens and preventive social and educational community programs)
- b) Providing information on the importance and obligation of schooling for the child
- c) Providing information on allowed child work and hazardous child labor
- d) Consulting with the school, helping the child to be included in education support programs in the community ²¹
- e) Approving one-off or emergency cash assistance or in-kind assistance, access to soup kitchens, etc.

If it is concluded that a case management procedure needs to be initiated, **the social worker in charge of material benefits becomes a mandatory member of the team formed by the case manager**, along with the representatives of organizations participating in the design and

²¹ Good practice examples and building models that include cooperation between schools with high drop-out rates and local CSWs, primarily involving social workers from the material benefits unit, were recorded in a number of projects developed by the Center for Educational Policy together with UNICEF, e.g. Establishing foundation for integrative approach to combating school dropout from the education system of the Republic of Serbia (2017-2018) and Prevention of Drop-out of Students from the Educational System of the Republic of Serbia (2015-2017). See: <http://www.cep.edu.rs/longtermprojects>



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provision of services and providing support and protection measures for the child and the family. Also, the circumstances in which the case manager at any stage of their work identifies indicators of possible occurrence of child labor, often also include the need for financial support to the child and the family.

Communication among professionals in different CSW organizational units, as well as between CSWs and other institutions and organizations within and outside the social protection system, is an integral part of their professional activity. A cooperation among different CSW organizational units and professionals is necessary for providing support and protective measures in a professional, ethical and legal manner for a considerable number of cases related to child protection (abuse and neglect, child marriage, child labor, children working and living on the streets, child trafficking, unaccompanied migrant children, etc.) All relevant stakeholders and service providers in the community should also be involved in communication in order to respond adequately to often complex cases involving child labor.



3. Difficulties related to the identification of child labor

Having in mind that child labor represents a form of violence against children, it is often difficult to identify, because there are no specific indicators. Simultaneously, indicators are most often connected with other phenomena causing difficulties in children, which most often require social protection system interventions, whatever these difficulties may be. In some cases, the line between child trafficking and child labor is particularly thin, especially when it comes to the worst forms of child labor, such as child abuse for pornography, forced begging, various illicit activities including distribution of psychoactive substances.

Box 2. Differences in definitions

Child labor deprives children of their childhood, opportunities to fulfil their potentials and dignity, and is harmful to their physical, social and mental development.

Child labor is a broader term than **child trafficking** for the purposes of labor exploitation. Only **some** children engaged in inappropriate, excessive or worst forms of child labor are simultaneously the victims of child trafficking.

The children whose labor is abused become **THB victims for the purposes of labor exploitation** (also including commercial sex exploitation, begging, illicit activities, etc.) when someone takes control over the child's activities, and as a rule, takes them away from familiar surroundings where they can get support, and exploits the child's work for their own benefit, at the expense of the life, health, development and overall well-being of the child.

Commercial sexual exploitation of children (CSEC) is a form of sexual abuse for economic gain, where the child is simultaneously a sexual and a commercial object, and their services are sold, bought and used.

It includes using children for prostitution, pornography (which also covers live streaming of sexual abuse on the Internet)²², sex tourism, and is often connected with smuggling, sale and trade in children, regardless of whether it involves coercion or physical abuse.²³

²² EUROPOL, Commercial Sexual Exploitation of Children Online, European Financial Coalition, Oct. 2013, p.15, available at: <http://www.europeanfinancialcoalition.eu/private10/images/document/5.pdf> and Internet Watch Foundation, Briefing Paper – Preliminary Analysis of New Commercial CSAM Website Accepting Payment by Bitcoin, January 2014. Available at: https://www.iwf.org.uk/sites/default/files/inline-files/Preliminary_analysis_into_commercial_CSAM_distributor_accepting_bitcoin_sanitised_not_restricted_010_14.pdf.

²³ U.S. Department of Justice (2007). Commercial sexual exploitation of children: what do we know and what do we do about it?. U.S. Dept. of Justice, Office of Justice Programs.



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The term commercial sexual exploitation accentuates the child's position as a victim, and not an active participant in the activities of prostitution and pornography.^{24,25}

Parents appear as traffickers in their own children, when in order to get money or other forms of financial or other gain, they exploit their own children or entirely leave them to other person or persons with the purpose of labor or sexual exploitation, begging, illicit activities, child marriage, adoption or organ trade.

All professionals in different social protection institutions and services need to know that during the first encounter with indicators of child labor, it is often not possible to obtain all the information that can confirm the existence of this phenomenon. Also, the child may show more noticeable signs indicating other unfavorable circumstances, especially neglect, physical abuse and behavioral problems. This is why it is important to pay attention to the **specific and non-specific** indicators, assume (working hypothesis) that the child is being engaged in inappropriate, harmful or hazardous labor, continue collecting important data, make a note of this suspicion in records and, when relevant, inform the competent CSW.

All social protection system professionals working with children must be familiar with the **Decree on hazardous child labor**.²⁶ It is necessary for the said professionals to be familiar with this Decree, because in comparison to other professionals in the system, they are more likely to encounter children involved in unallowed, inappropriate or hazardous labor, considering that many of these children already use social protection services.

The intent to support legal, developmentally appropriate work, conducive to child development, may create circumstances in which risks and vulnerabilities are overlooked by parents, other adults in the child's life (teachers, relatives, family friends) and professionals. Work that might seem useful for the child and the family may occur in unfavorable conditions, in a way that interferes with the child's development or education, or even have long-term negative effects on the child's health. Desirable forms of work are those that contribute to the formation of prosocial values and encourage child's development, such as the participation of children in household chores, family business, activities helping them earn their pocket money, etc., when this is appropriate to the child's age and abilities, when their safety at work is ensured, when they are not exposed to physical, chemical and other hazards, and when such work does not interfere with their school, rest, play, and leisure. The right measure is determined by the age of the child and their psychological and physical abilities, the possibility for appropriate (as a rule regular and successful) participation in the educational process, and also sufficient time for

²⁴ First World Congress Against Commercial Sexual Exploitation of Children (1996) *Declaration and Agenda for Action*. Available at:

http://www.csecworldcongress.org/PDF/en/Stockholm/Outome_documents/Stockholm%20Declaration%201996_EN.pdf

²⁵ Chase, E., Statham, J. (2004). The commercial sexual exploitation of children and young people: An overview of key literature and data. Thomas Coram Research Unit Institute of Education, University of London, London.

²⁶ Decree on Hazardous Child Labor. Official Gazette of RS, No. 53/2017. Available at: <http://www.pravno-informacioni-sistem.rs/SIGlasnikPortal/eli/rep/sgrs/vlada/uredba/2017/53/2/reg>



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rest, play and other activities in line with their interests, where it is also crucial that the work is not morally harmful (that it does not have a bad or “corrupting” influence on the child).

One of the examples includes children participating in berry-picking, which at first glance seems as desirable work, but the following facts need to be taken into account: hours spent by the child in that work, which may lead to them spending several hours in an improper posture that is not good for them, and may prevent or make it difficult for the child to fulfil their school-related duties; whether the child has been exposed to the pesticides used to treat the fruit, or worked in unfavorable weather conditions (e.g. excessive heat, direct sun exposure) and similar. Also, the age of the child is very important, the way in which the child is engaged in work (e.g. pressured by the parents, due to the sense of family obligations to vulnerable family members, on own initiative), whether the work is performed on the child’s family farm, how the employer is treating the child if they work on someone else’s farm, whether the child is being adequately compensated, how they experience the work and relationships with other workers or employers, the possibility for legal and other protection from violence and exploitation etc. An important fact for the assessment is the intensity of involvement in work (occasionally, seasonally, every day; same or different tasks; work as central or peripheral element of the child’s life), as well as whether the child is working in a group with other adults or children or in isolation, meaning whether their work is visible or not.²⁷

Box 3. Situations in which child labor is not child trafficking

- Parent or other person responsible for the child is forcing, inciting, or directing and encouraging the child to perform work that is developmentally inappropriate, excessive, hazardous or that interferes with the child’s schooling, and uses the child’s earnings primarily to meet existential needs of the family, which are situations where child labor is **actively** encouraged by parent.
- Parent or other persons responsible for the child by their activities or lack thereof, often unaware or convinced of this being beneficial to the child, incites, directs, encourages the child, or does not prevent the creation of or creates the circumstances in which developmentally inappropriate, excessive or hazardous child labor occurs, without having given control over the child to someone else for gain. The situations of inappropriate paid or unpaid labor that children do in their own homes, on individual agricultural holdings, in family production facilities or services, inappropriate or unallowed labor performed for other employers, etc., are situations where parent encourages child labor due to **lack of knowledge and/or negligence**.
- Parent or other person responsible for the child leads, directs or contracts the child to work for another person, believing that the child would be well looked-after in these settings, be provided with opportunities for education, appropriate work and adequate

²⁷ Woodhead, M. (2004). Psychosocial impacts of child work: a framework for research, monitoring and intervention. *The International Journal of Children’s Rights*, 12(4) pp. 321–377.



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compensation, and the child ends up in inappropriate labor, which is the situation of child labor **erroneously** caused by the parent.

- The child involved in developmentally inappropriate, excessive or hazardous labor interfering with education, together with other family members, supports and enables the survival of their family, which represents child labor caused by the protection system, which **failed** to support the family, thus contributing to this occurrence.
- The situations where the child, regardless of parental or other legal guardians' encouragements and omissions, is engaged in one-off, occasional or continuously inappropriate, hazardous or unallowed labor, both independently and for registered and unregistered employers, where some of those activities constitute labor rights violations even if they are not related to child labor, remain under the authority of the Labor Inspectorate, and social protection services are not involved, since this is child labor, where parent contributes to the abuse **by failure to act**.

Children and their legal guardians or persons found with the child during the identification, may not always be willing or able to present the details related to child labor or any form of exploitation because:

- They do not recognize the violation of fundamental rights, and may also be in a state of denial or self-blame
- They might be under the influence of social prejudice and pressures (e.g., judging the victim of exploitation, understanding duty to the family and community, and similar)
- They have lost trust in other people and do not believe that anyone wants or can help them (which also refers to helpers from social services who suddenly appear in their lives)
- They are afraid of retribution by exploiters or human traffickers (against themselves and their family, other children involved)
- They do not want to talk about what happened, in order to avoid unpleasant memories
- They are afraid of possible legal consequences if they have been involved, or they are convinced that they have participated in the perpetration of misdemeanors or criminal offences
- They do not understand that the children have been exploited for work or sexual purposes (especially younger children).

4. Methods used in the social protection system to identify and assess the needs of the victims of child labor

Information on child labor is collected from the interviews with the child, parents or other legal guardians, family members, school representatives, those that submitted the report, etc., and based on insights into the child's living and working conditions, documents, etc. For child labor data collection and systematization, it is useful to use the instrument **Child Labor Indicators for the Social Protection System- CLI**²⁸, as well as the **Instrument for the Psychosocial Assessment of Children at Work – IPAC**.²⁹ The application of these two instruments implies precedent and comparative information collection on the child's:

- a) Basic demographic characteristics (age, sex, ethnicity, origin, migration status)
- b) Educational experience (enrolment, level, attendance, achievements, school type)
- c) Work history (age when they started to work, time spent at work, types of work, etc.) and
- d) Work characteristics (what the child is doing, where, how frequently, for how long hours, under what conditions, in which position, under whose supervision, using which knowledge/training/equipment, what compensation receives, etc.).

The CLI instrument needs to be appropriately used in all social protection institutions and services working with children and families, whenever the signs indicate the possibility that a child is involved in inappropriate, harmful or hazardous labor, and in CSWs during the initial assessment or any stage of further procedure, in cases indicating child labor. The instrument lists indicators in three domains (physical and personal; behavioral; family). These domains cover a total of 20 areas and 93 indicators, which are operationalized, and their intensity is shown as a graphic using signs and corresponding colors. The indicators have also been classified by their **specificity** (contextual, non-specific and specific), which also indicates their **intensity** (weak, moderate, strong), and are followed by 20 other indicators that, apart from representing specific (strong) indicators of child labor, simultaneously point to the possibility of child trafficking, in which case the appropriate list of indicators from the *Instruction for the preliminary identification of THB victims with indicators* needs to be used.³⁰ Detailed description of child labor indicators can be found in the Guidelines for the application of this instrument.

²⁸ See: Guidelines for the implementation of the Child Labor Indicators for the Social Protection System

²⁹ Hofman, M. R., Gunn, S. (2014) *Instrument for the Psychosocial Assessment of Child Workers (IPAC): Background and references*. International Labor Organization, International Program on the Elimination of Child Labor (IPEC) - Geneva: ILO.

³⁰ Guidelines for CSW and Other Service Providers for Preliminary Identification of Victims of Trafficking in Human Beings with Indicators, No. 551-00-00441 / 2017-09.



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Box 4. Marks for the specificity and intensity of CL indicators

● **Contextual indicators (WEAK)** –Present in most victims of child labor, but also frequent in other vulnerable children.

■ **Non-specific indicators (MODERATE)** –Indicators that are more prevalent in child labor victims than in other vulnerable children, but refer to only some of the victims.

refer to some of the victims.

▲ **Specific indicators (STRONG)** –Indicators that are present in most victims of child labor and are relatively rare in other vulnerable children.

vulnerable children.

◆ Possible indicator of **child trafficking** (use the appropriate list of indicators)

Professionals working directly with children in other social protection institutions (centers for foster care and adoption, Center for Human Trafficking Victims’ Protection, homes and shelters for children and young persons, local social protection service providers and other CSOs working with children) should collect as many data as possible using CLI, record their work in the beneficiary’s file and other relevant documents (in the form of official record, entry in the Case notes list, entry in the report on daily activities in the institution, professionals’ findings and opinions etc.) and in relevant cases inform the relevant case manager. This includes circumstances when concern for the child arises, due to the presence of strong or specific combinations of moderate and other indicators pointing to the occurrence of child labor, or a similar situation jeopardizing the child’s well-being. Data should be collected according to the marked areas of assessment in the instrument, related to the three main domains: **Physical and personal, Behavioral and Family**. The application of CLI is described in the Guidelines for the Application of Child Labor Indicators for the Social Protection System.

In the situations when some CLI indicators suggest a possible case of child trafficking, it is advised to use the instrument **Indicators for preliminary identification of THB victims for**

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social protection – children³¹, and then, depending on the results, also involve the Center for Human Trafficking Victims’ Protection, in line with the relevant **Instruction for the application of indicators for the preliminary identification of THB victims and procedure in case of suspicion that a beneficiary is a THB victim**³² and **Standard Operational Procedures for the Treatment of THB Victims**.³³

The Instrument for Psychosocial Assessment of Children at Work (IPAC), which was developed to study impacts – positive or negative – of work on the psychological development and functioning of working children, and tested in workshops with professionals in Serbia, is a useful tool for interviewing a child when there is suspicion or a clear evidence of their involvement in inappropriate, harmful or hazardous labor.³⁴ This instrument combines occupational, psychological and developmental variables, it is easy to apply and facilitates communication with children.

IPAC has 48 items divided in 12 domains: **self-esteem, stress, personal agency, relationships, sense of safety/protection at the job (supervision and training), leisure, emotional, somatic factors, anxiety and chronic fear, sense of hopelessness or helplessness, social characteristics, abuse and maltreatment**.³⁵

Box 5. IPAC scale with pictogram used to assess child work impact



³¹ Indicators for preliminary identification of THB victims for social protection – children, available at: http://www.mup.rs/wps/wcm/connect/38a440cc-c42a-4b21-b313-a323a8999d1b/05.INDIKATORI_Soc+zastita_deca.LAT.pdf?MOD=AJPERES&CVID=mBSb0A-

³² Instructions to social work centers, social protection institutions for accommodation of beneficiaries and other service providers for the application of indicators for preliminary identification of victims of THB and action in case of suspicion that the beneficiary is a victim of trafficking in human beings, br. 551-00-00441/2017-09.

³³ Standard operational procedures for treatment of THB victims. Office for Coordination of Activities in the combat against Trafficking in Human Beings in the Police Directorate of the Ministry of Internal Affairs of the Republic of Serbia, 12 December 2018, available at: <http://www.mup.gov.rs/wps/wcm/connect/5993547d-97bd-4a0f-9669-43e5962097fd/01.SOP+final+250119.LAT.pdf?MOD=AJPERES&CVID=mBR-obW>

³⁴ Social protection professionals that participated in the workshops on child labor organized in 2019 and 2020 by the International Labor Organization, said that the IPAC instrument could be a very useful tool for social services because: a) it is easy to use; b) it can structure interviews with children and adolescents potentially at risk of child labor; c) enables the children with good reading and writing skills to fill out forms on their own, as preparation for the subsequent in-depth interview with the social worker, and; d) enables children with less developed reading and writing skills to easily fill out the form with support, because it contains a pictogram with water glasses filled to different levels. This may help these children to express frequencies: full is used to express “always”, two-thirds to represent “often”, one third to reflect “sometimes”, and empty to represent “never”.

³⁵ For more detailed information on IPAC see: Gunn S, Jordans M, Awan S, and Hofman M (2012). *Development of an Instrument for the Psychosocial Assessment of Child Workers*. Geneva: ILO. Hofman, MR (2015). *Instrument for the Psychosocial Assessment of Child Workers: Theory and References*. Geneva: ILO.



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Information can be expanded to include data obtained by observing the child's work activities, medical information on injuries, illnesses, and exposure to chemical agents, nutrition and weight to height ratio. This data needs to be considered in light of the level of development of the child (younger school child, pre-adolescent, young person), as well as the duration and form of their engagement (just introduced into work, working for years, seasonal worker, etc.).

It is important to understand that individual characteristics (physical capacity, cognitive abilities, social skills and similar) and the child's general health, are important factors that can function as a shield from negative effects of inadequate work engagement, or, contrary to this, can contribute to the child's vulnerability. This is linked with the concept of **child resilience**, and in addition to personal characteristics, also includes handling styles (constructive and less constructive) and resources available in the environment that can help the children handle the given situation.

Children actively assign importance to their work, and in many cases, it becomes part of their identity, built in their experience of self-esteem and efficiency.³⁶ Conclusions about the possible risks and benefits related to their work made by social protection professionals and other adults, may differ significantly from the way in which a child sees their work. Also, personal and cultural significance and value assigned by children to their work experiences is important, as a factor participating in the positive and negative impacts of work on their lives. **Social and psychological toxins** (discrimination, verbal violence, humiliation, physical abuse, a climate of perpetual anxiety, fear and uncertainty, experience of helplessness etc.) combine and accumulate, so it is necessary to consider their impact on the child's attitudes towards their work and when assessing their skills for self-care and self-protection.

5. Specific professional procedures in working with children exposed to child labor

5.1. Recognition methods – identification of the child of child labor

The methods used by CSWs to obtain information on the need for a child protection intervention (by telephone, in writing or by email) and the specific sources of information on the cases of child labor are described above. The case manager assigned to the specific child must **inform the person who submitted the report** on the activities undertaken to the extent required by the other service and not contrary to the child's interests, pursuant to the law and confidentiality- and privacy-related rules, within a maximum of 7 days after the submission (and afterwards as appropriate, according to their participation in the procedure). The competent CSW professionals and other social protection service providers are required to provide timely, accurate and ethically correct information on the undertaken procedures and planned steps to the person who submitted the report or to the other stakeholders concerned.

³⁶ Woodhead, M. (2004). Psychosocial impacts of child work: a framework for research, monitoring and intervention. *The International Journal of Children's Rights*, 12(4) pp. 321–377.



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In practice, situations when CSWs identify indicators of child labor during their regular duties, when reviewing differently formulated reports, requests and issues occur more often. These situations require identifying, often at first glance, of inconspicuous or undifferentiated signals indicating that, in addition to the issue because of which the child became a CSW beneficiary at the first place, there is also an issue of their work engagement. Child labor most often occurs **associated with or in synergy with other issues**, therefore often remains covert and unnamed. In these cases, the professional reporting the case, as well as the designated case manager, must also search for indirect signs, based on research data and professional experience.

The symptoms of post-traumatic stress occur differently in children, and are also in connection with child's age, because in older children, reactions to trauma are more complex and more visible. Therefore, it is necessary to **capture the physical signs of child labor**. All social protection professionals, regardless of which institution or which service provider they work with, should be prepared to identify the signs connected with physical injuries and physical abuse that frequently occur during labor exploitation. These include: cigarette burns (new and old), bruises, scrapes or scars made by a cane, belt and similar tools, cuts, and also typical work-related injuries (callouses and wounds on hands, chemical injuries and similar). The captured signs should be cross-referenced with the child's basic information (age, sex, school attendance, family background, socio-economic status), features and current trends in child labor, exploitation, and child trafficking in the local environment (e.g., seasonal work in agriculture, construction, tourism and catering).

After identifying the case and referring it to the competent CSW, the case manager, based on preliminary identification results, enables the child's access to priority services and protection measures, which can also include immediate removal of the child from the environment they have been staying in, emergency placement, treatment, emergency financial assistance, etc. Later in the proceedings, the child may be both capable and willing to provide more information and confirm their child labor victim status and decide whether to cooperate with judicial and investigative authorities. Children identified as victims of child labor have the right to access social protection services and community support, regardless of their decision on testifying in the proceedings against their exploiters.

5.2. Child labor victim assessment

In the situation of suspected child labor, the assessment stage is probably the most delicate. If during the assessment (intake, initial, focused or comprehensive or evaluative) omissions occur in the identification of indicators of different conditions and phenomena affecting the child and their relationships, the intervention could unduly focus only on some of the identified needs, without understanding the complexities of the case. **In the indicated situations** (report of child labor, child's statement, circumstances to determine or review the fulfilment of conditions for cash social benefits in families with three or more children, etc.) or other situations when there is suspicion of child labor, the instrument **Child Labor Indicators for the Social Protection System – CLI** should be used as described in the corresponding Guidelines for their application. It is recommended for the instrument to also be appropriately used by other

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institutions and social protection services working with vulnerable groups of children and families. After the report is made, and during the intake assessment, the CSW workers consider the indicators from the above mention instrument identified by other social protection services, to use during the initial assessment and collect other necessary information. It is useful to start collecting and classifying data in line with the list of indicators immediately upon suspicion of child labor and then continue with their subsequent collection and validation through individual assessment phases and procedures.

In addition to the interview with the child and depending on the degree of trust in relationship established between the professional and the child, it is also useful to apply the **Instrument for Psychosocial Assessment of Children at Work – IPAC**, presented above.

Data collected are classified using the Child and Family Assessment Model³⁷, in line with the Rulebook on the Organization, Normative and Standards of CSW Operations³⁸, as presented in **Figure 1. Child labor assessment triangle**, which is an integral part of this document and serves to guide the assessment process according to domains and areas provided in the model. This figure shows which specific data are collected in the cases of suspected child labor, in the respective domains:

- a) **Child's developmental needs** (health, education, emotional and behavioral development, familial and social relations, social identity and representation, self-care skills)
- b) **Capacities of the parents/legal guardians to respond to the child's needs** (the provision of basic care and safety, emotional warmth, stimulation, direction and boundaries, stability), and
- c) **Family and environmental factors** (family history and functioning, extended family, social integration of the family, income, employment, housing, community resources).

5.2.1. Physical and personal indicators

The physical and personal domain of *Child Labor Indicators for the Social Protection System instrument* collect data on some of the child's general characteristics, such as sex and age, ethnicity, as well as physical indicators. Although these data are non-specific for child labor, in the context of actual circumstances, they help identify this form of violence against the child. **Sex and age** of the child do not indicate the state of vulnerability as such, so these data need to be cross-referenced with other indicators in the context of concrete circumstances, when they become meaningful, because children of a certain sex and age are typically engaged in specific forms of labor. Female children, depending on the age, are used more than male children for

³⁷ Žegarac, N. (2016). From Problems to Opportunities in Case Management: A Handbook for Practitioners. Belgrade: Faculty of Political Sciences, Center for Research in Social Policy and Social Work. Available at: http://www.fpn.bg.ac.rs/wp-content/uploads/2016/08/prirucnik_vodjenje_slucaja.pdf

³⁸ Rulebook on the Organization, Normative and Standards of Center for Social Work Operations. Official Gazette RS, No. 59/2008, 39/2022- another Rulebook1/2012- another Rulebook, 51/2019 and 12/2020.

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commercial sexual exploitation and for forced domestic work and/or excessive work – in their own and other people’s homes (cleaning the household, preparing meals for the members, caring for younger children and helpless family members). On the other hand, male children are more often engaged to work in the field, animal husbandry, and are more involved in working with drugs and collecting waste and secondary raw materials.

Ethnicity can be an important field for collecting additional data. For example, unaccompanied migrant children are at high risk of child labor, but the same can be stated for the children from marginalized social groups, who are to a greater extent affected by poverty and social exclusion. **Physical indicators** of child labor are **injuries** due to exposure to unfavorable weather conditions (e.g., frostbites, burns), skin injuries and bone fractures (working with dangerous tools, effects of deliberate mutilation to abuse children for begging and similar), poisoning due to exposure to hazardous substances (pesticides, landfill gases, hazardous medical waste, tobacco smoke, other chemicals that can cause physical harm). Physical indicators also include delayed growth of inorganic origins, but also deformities caused by long-term work in non-physiological positions (e.g., kneeling). The continuous or obvious **fatigue** and **physical exhaustion** of a child may indicate excessive and hard labor affecting the child’s focus, behavior and school achievements. This is usually caught by school staff, who should afterwards more closely examine the causes for the child’s fatigue and undertake appropriate measures pursuant to the Special protocol for the protection of children and students from violence, abuse and neglect in educational institutions³⁹ and the relevant Rulebook.⁴⁰

The child’s **clothes and shoes** can indicate specific jobs they may be doing. For example, the clothes of girls involved in prostitution are usually provocative and inappropriate for their age. A special type of indicator may be specific tattoos, brands or scars. Namely, in practice, there were examples of girls THB victims marked as ‘property’ of traffickers or the group running sexual exploitation or coercion to illicit activities.

5.2.2. Behavioral indicators

The behavioral domain includes indicators of child behavior that are not in line with their age or deviates from usual child behavior in the given social and historical context. A group of unaccompanied children on the move (children affected by mixed migration) is exposed to various and high risks, so it is necessary to examine the possibility of various abuses. On their journey, **unaccompanied migrant children** are often engaged in the worst forms of child labor,

³⁹ Special protocol for the protection of children and students from violence, abuse and neglect in educational institutions (2008). Belgrade: Republic of Serbia, Ministry of Education and UNICEF. Available at: http://www.mpn.gov.rs/wp-content/uploads/2015/08/Posebni_protokol_-_obrazovanje1.pdf

⁴⁰ Rulebook on the protocol of actions in the institution in response to violence, abuse and neglect. Official Gazette RS, no. 46/2019 and 104/2020, available at: https://www.paragraf.rs/propisi/pravilnik_o_protokolu_postupanja_u_ustanovi.html

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including hazardous labor.^{41,42} They need money to survive, cover travelling expenses and often also pay the smugglers.

When focusing on **children working on the streets** (selling, begging, cleaning car windows on intersections etc.)⁴³, in addition to the extent to which the child is exposed to unfavorable conditions, various physical, chemical and psychological harms and hazards, special attention should be paid to the information who engaged the child for the specific work on the streets. Studies have shown that children working on the streets may be⁴⁴:

- a) Working to support their family due to extreme poverty by using their earnings for their own and their family's survival
- b) Working primarily for their own survival because they do not have adequate support or supervision in their family
- c) In a situation of exploitation and abuse by parents that manipulate the child emotionally and in other ways or force them to work in order to acquire means for the family's survival
- d) Abused as THB victims, when a person other than their parent takes control over the child and exploits them for its own benefit, usually taking the child out of the environment in which they can get help and support.

In all these situations, the **CSW intervention is necessary**, but it must be **varied, individualized and appropriate**. It can include one or a specific combination of the following measures:

- 1) Working on development, improvement and correction of parental competencies
- 2) Implementing guardianship measures and alternative care solutions
- 3) Helping the child reintegrate in their biological family
- 4) Helping and supporting the parents to protect the child throughout criminal proceedings against perpetrators.

School attendance is one of the key indicators for general well-being of children and involvement in child labor. Indicators related to dropout, excessive truancy, especially during specific seasonal works, decline of school achievements followed by evidence of fatigue, are all clear signals that further investigation is required due to possible child labor. In such

⁴¹ van de Glind, Hans (2010). [Migration and child labor : exploring child migrant vulnerabilities and those of children left behind](https://ideas.repec.org/p/ilo/ilowps/994601843402676.html), ILO Working Papers 994601843402676, International Labor Organization. Available at: <https://ideas.repec.org/p/ilo/ilowps/994601843402676.html>.

⁴² Law on Ratification of the ILO Convention No. 182 on the Worst Forms of Child Labor and ILO Recommendation No. 190 on the Prohibition and Urgent Action to Eliminate the Worst Forms of Child Labor. Official Gazette of the SRY – International Agreements No. 2/03.

⁴³ In line with the UN CRC General Comment No. 21 (2017) on children in street situations, children working in the street belong to this broader group of children. See: hopefulness or helplessness <http://www.savetzapravadeteta.gov.rs/latinica/dokumenta.php>

⁴⁴ Žegarac, N. (2007). Children speak - the risk of trafficking in human beings and the resilience of children in Southeast Europe. Belgrade: Save the children UK and the Center for the Children Rights.

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situations, school staff is an important source of information and resource for cooperation in developing the intervention approach to the specific child and family.

The fifth area in behavioral domain of the Child Labor Indicators for the Social Protection System (CLI) instrument is **child behavior that is not in accordance with their age and/or context**, which often requires collecting data that can indicate exposure to inadequate, excessive and hazardous labor, and even the worst forms of child labor, such as THB for the purposes of sexual exploitation and pornography, drug distribution and similar. The child often self-represents as entrepreneurial, responsible for the family, uses specific slang, is proud of its own earning capacity, relativizes usual values and considers criminal activities as normal. This can be an indicator of the child's agency and resilience, which should be then engaged as a resource and personal strength for their development but must not mask the child's exposure to risks and their need for protection.

Box 5. Identifying the effects of child labor during assessment

Exposure to the worst forms of child labor can produce the symptoms of anxiety or anxiety disorders, which results in children's interpretation of their environment (physical, social, emotional) as threatening. Cognitive distortions and negative beliefs may be connected with the following attitudes^{45, 46}:

- **Personalization**, related also to exaggerating one's own role and experience of responsibility: "I am the only one responsible for how people around me feel"; "What happened to me is only my fault"; "I am unworthy if unloved by everyone"
- **"I have to- "or "I should- "statements**, or beliefs related to abilities: "I have to do everything perfectly, otherwise I will be cast away"; "There are only winners or losers"; "If something is not perfect it is worthless"; "If I am wrong, I/everything will be ruined"; "I have to please everyone"
- **Control error**: "I am the only one capable of solving my problems", "I have to always be in charge", "If I let anyone close to me, they will control me"; "I have to be calm all the time", "It is dangerous to show that you are under stress, nervous or worried", "It is not normal to be afraid", etc.

An efficient child recovery plan has a twofold objective: to reduce risk factors and enhance protection factors. However, each experience of exposure to the worst forms of child labor alters the cognitive, social and emotional development of the child. This manifests in acquiring survival capacities, and on the other hand, developing dysfunctional beliefs about oneself, about

⁴⁵ Woodhead, M. (2004). Psychosocial impacts of child work: a framework for research, monitoring and interventions. *The International Journal of Children's Rights* 12(4)

⁴⁶ International Labor Organization (2007). *Psycho-social rehabilitation of children withdrawn from trafficking and other worst forms of child labor*. Bucuresti: Speed Promotion

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others and about the world in general. In other words, the experience of exploitation deeply alters the way in which children experience themselves, their environment and the world.

Without a doubt, some children engaged in child labor develop **resilience**, but manage to progress while exposed to acute and chronic stressors. Research shows that this was possible with children who, in unfavorable circumstances, managed to satisfy their needs for: **identity, relationships, access to material resources, social cohesion** (including **religious affiliation**), **power and control, social justice and cultural adherence**.

This refers to the so-called “**resolution of seven tensions**”, because each of these seven tensions represented a problem for children which they resolved by maximizing the utility of all the resources available to them in social and physical environments where there were serious threats to their well-being.⁴⁷ Sometimes this required to maladaptive behavior in resource rich environments, such as running from home, violent behavior, exploiting of others. Such behaviors may serve as protection in environments where the child’s development is in danger. Children’s resilience develops in a physical and social environment that is capable of providing the necessary resources in a way that is meaningful for the child.⁴⁸

Work (even inappropriate, excessive and hazardous) may represent a meaningful means for the survival and progress of children living in general social and educational conditions which are unfavorable and do not allow them to achieve a better status in society, at the given moment and in long term. Under these circumstances, early work engagement may be a source of psychological growth for children, who would have probably gained much more from alternative experiences in working and contributing to their family’s wellbeing, if they have been available to them.⁴⁹ If we do not take this dimension into account and we treat the child only as someone who needs protection, rather than acknowledge their self-contribution and sense of purpose that they assign to their work, it is very difficult to build trust and design relevant and effective interventions and measures supporting the child to overcome difficulties and make progress.

Survival skills acquired by the child due to exposure to the worst forms of child labor may prove useful in the process of recovery, and in some children, with or without these skills, various **cognitive distortions** develop, especially when it comes to their self-esteem, understanding interpersonal relations, sexuality and the perception of personal safety. Contrary to this, the situations when the child verbalizes fear, helplessness, shows anxiety, etc. also represent a signal that the child is a possible victim of child labor, when, in addition to the interventions focused on risks and child protection, more intense interventions should be aimed at supporting personal and environmental strengths and protective factors.

⁴⁷ Libório, R. M. C. & Ungar, M. (2010). Children’s Labor as a Risky Pathways to Resilience: Children’s Growth in Contexts of Poor Resources. *Psicologia: Reflexão e Crítica*, 23(2), 232-242.

⁴⁸ Ungar, M. (2005). Pathways to resilience among children in child welfare, corrections, mental health and educational settings: Navigation and negotiation. *Child and Youth Care Forum* 34(6), 423-444.

⁴⁹ Ibid.



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Box 6. Child's reactions to the experience of child labor

Children's reactions depend on the **nature of events** (one or more events), **child's resources for adaptation** (ability to self-protect, available emotional and social support), existing **risks**, as well as the child's **age**. Not all forms of child labor are psychologically traumatic or developmentally adverse. This is the result of existing **protective factors** (social, cognitive and emotional). Some children may have weaker reactions, while others may develop serious difficulties, such as⁵⁰:

- Post-traumatic stress disorder, depression, anxiety
- Alcohol and/or drug addiction
- Self-destructive behavior, behavioral disorders (e.g., stealing, bullying)
- Dysfunctions in perceiving their identity
- Relationship difficulties and lack of trust in adults
- Alterations in relation to their body image, incorrect perception of their own sexuality, sexualized behavior
- Flawed perceptions of work and childhood.

Children who were involved in the worst forms of child labor acquire **negative beliefs**, which may represent risk factors, even for children in the next generation ("I worked as a child so he/she should work too").

5.2.3. Family indicators

The family domain of the Child Labor Indicators for the Social Protection System (CLI) instrument has 11 indicators, and the first is poverty. **Poverty** is fertile ground for numerous adverse events, and historically and globally it is pervasive in the context of child labor. In countries in which poverty is widespread, child labor is much more frequent than in income-wealthier countries, while in developed countries, child labor is considerably more frequent among the poorest social strata.⁵¹ Poverty is **cause and effect** of child labor, it forces children to work at the expense of education and development of their own potentials, and then child labor is perpetuated and creates new poverty and marginalization. Although child labor cannot be tolerated or abolished because the family is poor, it is important to make a difference when in child labor is based on the need for survival of the child and their family due to existential vulnerability, and the situations when there is abuse by parents or third party. This differentiation is necessary for planning interventions (preventative, developmental and/or protective) in order to ensure safety and make the opportunity for optimal development and well-being of the child.

When a CSW professional assesses family and environmental factors within an initial or focused or comprehensive assessment, a special attention should be paid to the fact that the

⁵⁰ International Labor Organization (2007). *Psycho-social rehabilitation of children withdrawn from trafficking and other worst forms of child labor*. Bucuresti: Speed Promotion, p. 23- 36.

⁵¹ UNICEF global databases, 2019, based on DHS, MICS and other national surveys, 2010-2018.

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living standard of the family cannot be explained by their source of income. The reason for this might be criminal activities of some family member, and for the guardianship authority this should be a clear sign to do a more in-depth and focused assessment to include that possibility as well, in order to protect the child.

Contrary to these cases, child labor can also occur in wealthy families where poverty is not an issue, which is confirmed by numerous studies worldwide (the so-called ‘wealth paradox’)⁵², but also by domestic research on child labor in agriculture.⁵³ In order to work the land, all family members are often involved and contribute (especially if there are difficulties to recruit seasonal workers and if workers’ wages would considerably reduce the family’s income), and this work may be inadequate, difficult and hazardous for the child. Under such circumstances, the child is quite often urged to drop out of school, which is considered unnecessary, uncertain and useless for the survival and future of the child and the family. It is common for the children to be engaged in transgenerational work, and their work on the farm is highly valued, but the parents have insufficient knowledge of the needs and opportunities or any different future for their children. In these circumstances, interventions referring to **prevention and encouraging development** are primarily indicated, which are mostly implemented in cooperation with the school and the local community. In other cases, children in families that depend on seasonal work often change their place of residence to follow agricultural, construction or other seasonal works. These children change or do not attend school at all, and their personal documentation is often not regulated. They usually work on jobs inappropriate for them with their parents, and do not attend or dropout from school.

A special group of child labor victims are children in the educational process, **doing practical work** that is not allowed at their age. In the majority of cases, children in this group are not current social protection users. Upon receiving any information of such child labor, CSWs should inform competent authorities after inspecting the circumstances in which the family lives and taking any measures, primarily the Labor Inspectorate and the relevant units within the Ministry of Education.

Special attention should be paid to the cases of children whose parents have **already been reported or issued measures because of abuse and neglect of children and/or child labor**, followed by situations in which the child was or currently is in **alternative care**. These children are additionally vulnerable because of their family and life circumstances, often lacking the concept of boundaries, acceptable and unacceptable behavior. These children are frequently forced to develop self-protection mechanisms (more or less successfully) or seek protection, emotional and other support in an environment that is not always safe or benevolent to them. In social protection practice, professionals have recorded cases where children in homes or

⁵² Acevedo, K.; Quejada, R.; and Yanez, M. (2011). Child labor determinants and consequences. An analysis of the literature. *Journal School of Economic Sciences of the Military University Nueva Granada*, XIX (1), pp.113-124

⁵³ Rapid Assessment on Child Labor in Agriculture in the Republic of Serbia, International Labor Office, Fundamental Principles and Rights at Work Branch (FUNDAMENTALS), Geneva: ILO, 2018. Available at: www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_667734.pdf.

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foster families were lured and encouraged to give false consent to participate in exploitation and various types of abuse in the environment in which they were staying.

5. 3. Making decisions and service and measures planning

Based on data collected using a variety of methods and applying the list of indicators in the CLI instrument, the following **conclusions** may be drawn:

1. Child labor

- a) Refers to a child (**0-18 years of age**), engaged in the **worst forms of child labor**, such as slavery or servitude^{54,55,56}, pornography and prostitution, criminal activities, like production and sale of drugs, and hazardous child labor.
- b) Children **under 15 years of age**, engaged in activities that are **morally, socially or physically detrimental to their development and/or interfere with their education** or put the child in circumstances where it is difficult for them to attend school. In Serbia, primary school attendance is mandatory at the moment, which is the minimum for interventions, and it is necessary to strive for optimum level and type of education, not just the bare minimum, in line with the needs, circumstances and best interests of the child.

When child labor is definitely identified, in addition to all the necessary measures taken with regards to the child in the field of family legal protection and CSW interventions in order to remediate the effects of risks, vulnerabilities and abuse, the public prosecutor must also be contacted. In order to implement measures provided by the Family Law, it is necessary to examine the level of responsibility of the parents (**whether the parent is actively, out of ignorance, negligence, delusion, or omission, i.e., lack of action, creating circumstances in which child labor occurred** or – simultaneously or independently – **abuse occurred due to omissions by the protection system**) and determine if this is a case of:

- Parents against which **court proceedings need to be initiated** and **sanctions** imposed, in the form of limitations to or deprivation of parental rights
- Parents that need **support to correct parenting competencies** by informing and educating them and the child, providing financial or support with education and using the community resources

⁵⁴ Servitude is the state of a person who is subjected, voluntarily or involuntarily, to another person as a servant. See e.g., <https://legal-dictionary.thefreedictionary.com/servitude> and (European Parliament 2018). *Contemporary forms of slavery*. Policy Department for External Relations Directorate-General for External Policies, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603470/EXPO_STU\(2018\)603470_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603470/EXPO_STU(2018)603470_EN.pdf)

⁵⁵ Allain, J. (2013). Servitude or Practices Similar to Slavery - In: Jean, Allain, *Slavery in International Law: Of Human Exploitation and Trafficking*, Martinus Nijhoff, 143-202.

⁵⁶ In Serbia, servitude practices have been found on large individual agricultural holdings in Vojvodina.

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- Parents that need a **warning or supervision over the exercise of their parental rights**, followed by adapted measures of assistance and support, as well as counselling of appropriate intensity, which would enable them to adequately meet their child's needs
- Situations in which **activities should focus primarily on the child**, who (according to their individual needs) would be provided with adequate guardian protection, alternative care, assistance with emancipation, education, vocational training and help in finding employment that would ensure decent work, involvement in relevant services and activities in the community, with simultaneous development of a support network and planned counselling and guidance, counselling and/or therapy in mental health institutions as needed, etc.

2. Child over 15 years of age has been employed without adequate legal grounds

The duty of the guardianship authority is to review parental competencies and the ability of the family to respond to the child's developmental needs in these cases too, to determine the consequences of such engagement on the child, primarily in the area of their psychological, physical and social development and education. In doing so, parents and children should be informed and educated, and in relevant cases, parents can also be issued warnings or supervised in the exercise of their parental rights. These situations include close cooperation between the CSW and the Labor Inspectorate, when the child is employed in a registered enterprise, and also the relevant public prosecutor should also be involved if needed.

3. Child trafficking

Child trafficking means that the child is engaged in sexual and/or labor exploitation, begging, illicit activities; forced to marry; sold for adoption; their organs sold; or recruited to participate in armed conflicts by parents, relatives or other persons. Such suspicion and related conclusions **always** entail the involvement of the Center for Human Trafficking Victims' Protection.⁵⁷ According to the law, the assessment, as well as the decisions on measures and interventions, are within the competences of the guardianship authority, namely, the CSW. Child trafficking is the most severe form of child rights violation, and almost as a rule, requires interventions encroaching on parental rights and which are implemented by the guardianship authority, police, prosecution office and courts. Children suffer immense consequences when involved in trafficking, especially if the coercion lasted for a longer time, so these children need complex and coordinated protection. The cooperation between CSWs and the Center for Human Trafficking Victims' Protection is particularly important when it comes to the participation of the child in court proceedings (support in giving statements in criminal proceedings, prepare the child to participate in court proceedings, support during the court proceedings, support during the reparation procedure and demanding compensation for the victims etc.), which in

⁵⁷ Instructions to social work centers, social protection institutions for accommodation of beneficiaries and other service providers for the application of indicators for preliminary identification of victims of human trafficking and action in case of suspicion that the beneficiary is a victim of human trafficking No. 551-00-00441/2017-09 from 26.07.2017.

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line with its mandate and available resources, is implemented by this specific social protection institution in cooperation with specialized NGOs.

4. Child neglected by parents or other adults (including physical, health-related, educational, emotional neglect)

Such a conclusion leads to decisions focusing on interventions (ranging from information sharing, education, support, all the way to intrusive interventions interfering with parental rights) focused on persons responsible for child neglect, but it is particularly important to identify and document the effects of the neglect on the child. Usually, the support plan contains activities related to ensuring the child's safety (enabling and creating a safe environment), providing the necessary basis for unimpeded psychological and physical development, entry or re-entry in the educational process, and resolving of their civil status (e.g., personal documents for the child and similar).

5. Abuse of the child by parents or other adults (physical, emotional, sexual)

The conclusion that a child has been abused means making decisions and implementing appropriate measures and activities stipulated by the Family Law, Law on the Prevention of Domestic Violence and relevant by-laws and protocols.

6. Due to other circumstances, child's health, safety or development is at risk (they cannot attain an optimum level of development without the support of the social protection system)

Here, the child is not a victim of child labor, but CSW, in line with its competences which include the role of guardianship authority, is obliged to protect, assist and support the child in the implementation of all available measures and interventions within its competences (also including community resource mobilization), in order to protect and promote the survival, development and the fulfilment of the child's rights.

7. Child's health, safety or development is not at risk, or the risks are low

This conclusion leads to the decision that the child does not need CSW support, but it would be advisable to inform and educate the child and the family about situationally relevant risks related to child work and labor, which can justify CSW's inquiry into the life of the child and the family.

5.4. Planning interventions, services and measures

Planning (Initial Plan; Plan of Services for the Family with Permanency Plan; and subsequent plans adopted based on evaluation and review, also including the Plan for Care Leaving and

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Emancipation⁵⁸) is performed in line with the Rulebook on the organization, normative and standards of Center for Social Work operations.⁵⁹

Having in mind the consequences that children suffer from all forms of violence, the social protection system should detect in their assessment the exact segments of the child's life in which they require protection, support and assistance, so that they may enjoy the necessary conditions for unhindered growth and development, regardless of the specific form of occurrence that brought the adverse effects on the child. Therefore, most importantly, the plan needs to define **areas that require appropriate interventions**, which should be as individualized as possible and agreed with the child and other persons important to them. This means that the planned interventions are timely, realistic, adapted and ethical. **Interventions** within individual cases, and in the broader community context, may refer to prevention, support or development, and protection (see Box no. 7)

Box no. 7. Interventions of the social protection system related to child labor

- I. **Prevention.** In the area of child labor, this involves a clear normative framework and instruments for its implementation, information sharing and education of employers, the community, parents and children, interventions aimed at support for (re)entering education, interventions for the prevention of school drop-out, etc., which present the basis for social protection interventions at the meso- and micro-levels of practice, and also at the same time provide room for advocacy, lobbying and coalition-building for assistance and support.
- II. **Support or development.** The child and the family are provided with financial and/or concrete support in the form of cash benefits or top-up on income, support through the case management procedure in the form of parent education (individual and group), family and child counselling, home assistance, access to day centers and recreational and educational activities, access and referrals to health and educational services and legal aid, etc.
- III. **Protection.** Within case management, the child and the family are provided with services of alternative care, guardianship protection, accommodation in specialized shelters, intensive family support services where there is risk of child separation and services for family reunification, counselling and psychotherapy for victims and survivors, rehabilitation and reintegration programs, criminal legal protection, witness protection programs (which entail police and prosecution office participation) etc.

⁵⁸ Žegarac, N. (2016). From Problems to Opportunities in Case Management: A Handbook for Practitioners. Belgrade: Faculty of Political Sciences, Center for Research in Social Policy and Social Work. Available at: http://www.fpn.bg.ac.rs/wp-content/uploads/2016/08/prirucnik_vodjenje_slucaja.pdf

⁵⁹ Rulebook on the Organization, Normative and Standards of Center for Social Work Operations. Official Gazette RS, No. 59/2008, 39/2022- another Rulebook1/2012- another Rulebook, 51/2019 and 12/2020.



International
Labour
Organization



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Some of these interventions are under **exclusive** authority of services and licensed social protection service providers, while others require for the social protection system to take a **leading role** in the framework of a coordinated response, or to only **participate**.

In further stages of the professional procedure, **there are no specificities** related to child labor cases, so CSWs need to consistently implement the Rulebook on the organization, normative and standards of CSW operations⁶⁰, and other social protection institutions must implement relevant regulations.

⁶⁰ Ibid.