



PROTECTING AND EMPOWERING UNACCOMPANIED AND SEPARATED CHILDREN IN SERBIA

Findings from the protection monitoring implemented
between March and September 2025

November 2025

<https://www.rescue.org/eu>



List of Abbreviations

1951 Refugee Convention – Convention relating to the Status of Refugees
A11 Initiative - A 11 – Initiative for Economic and Social Rights
ADRA - Adventist Development and Relief Agency
APC/CZA - Asylum Protection Center
ASTRA - Anti-Trafficking Action
ATINA - Citizens Association for Combating Trafficking in Human Beings and All Forms of Gender-Based Violence
BCHR - Belgrade Centre for Human Rights
BIA/BID - Best Interests Assessment/Determination
CIM - Center for Youth Integration
CMW - Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRC - Convention on the Rights of the Child
CRC Committee - Committee on the Rights of the Child
CRPC - Crisis Response and Policy Centre
DRC - Danish Refugee Council
ECHR – Convention for the Protection of Human Rights and Fundamental Freedoms – European Convention on Human Rights
ECtHR – European Court of Human Rights
EU - European Union
Frontex - The European Border and Coast Guard Agency
ICESCR – International Covenant on Economic, Social and Cultural Rights
IDEAS - Center for Research and Social Development
IGO - Intergovernmental Organization
IOM - International Organization for Migration
IRC - International Rescue Committee
JRS - Jesuit Refugee Service
KII - Key Informant Interview
KIRS/Commissariat - Commissariat for Refugees and Migration of the Republic of Serbia
MHPSS - Mental Health and Psychosocial Support
Mol - Ministry of Interior
MSF - Medecins Sans Frontieres (Doctors Without Borders)
NFI - Non-Food Items
NGO - Non-Governmental Organization
PIN - Psychosocial Innovation Network
SWC - Social Welfare Center
UN - United Nations
UASC - Unaccompanied and Separated Children
UNHCR - United Nations High Commissioner for Refugees
UNICEF - United Nations Children's Fund

Contents

- Executive Summary1
- 1. Introduction and context2
 - 1.1 Unaccompanied and Separated Children (UASC)4
 - 1.2 Legal Status & Protection Needs.....5
 - 1.3 Legal Framework for Protecting UASC6
 - 1.4 National and Humanitarian Response9
- 2. Methodology.....10
- 3. Findings12
 - 3.1 Demographics and Context of Interviews12
 - 3.2 Reasons for Departure.....12
 - 3.3 Travel, Education, and Documentation13
 - 3.4 Prior Asylum Status and Reasons for Leaving13
 - 3.5 Duration of Displacement and Travel Routes13
 - 3.6 Accommodation and Safety14
 - 3.7 Access to Essential Services14
 - 3.8 Awareness of Asylum and Returns Procedures15
 - 3.9 Rights Violations and Authorities Involved15
 - 3.10 Referral Needs16
- 4. Analysis of findings16
 - 4.1 Overview of key trends16
 - 4.2 Protection Risks and Rights Violations17
 - 4.3 Access to Protection and Services19
 - 4.4 Institutional Coordination and Policy Gaps21
 - 4.5 Child Well-being and Psychosocial Impact22
 - 4.6 Regional Context and Implications23
- 5. Conclusions.....25
- 6. Recommendations26

Executive Summary

Between March and September 2025, the International Rescue Committee (IRC) and Info Park conducted protection monitoring across Belgrade, Obrenovac, Horgoš, and Loznica to assess the situation of unaccompanied and separated children (UASC) transiting through Serbia. A total of 206 interviews were carried out to identify patterns of risk, access to services, and institutional responses within Serbia's child-protection and asylum framework.

The findings reveal that while Serbia's legal and policy framework, including the *Law on Asylum and Temporary Protection*, *Law on Social Protection*, and *Family Law*, is closely aligned with international standards, implementation remains inconsistent. Most children reached Serbia after experiencing severe human-rights violations elsewhere in the region, including pushbacks, arbitrary detention, and violence, in contravention of the *Convention on the Rights of the Child (CRC)*, the *Convention relating to the Status of Refugees (1951 Refugee Convention)*, and the *Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights - ECHR)*. Upon arrival, 93% of children lacked documentation, leaving them unable to access guardianship, education, or healthcare.

Access to asylum remains limited: 83% of children knew they could seek protection, but only 7% were asked by authorities if they wished to do so, and 1% initiated the process themselves. Reliance on non-governmental organizations (NGOs) for information and support persists, with non-governmental actors providing most legal counselling, psychosocial assistance, and outreach. Only 6% accessed health services and 3% formal education, despite statutory entitlements. Guardianship is often delayed or nominal, and inter-agency coordination between the Commissariat for Refugees and Migration of the Republic of Serbia (CRM), Social Welfare Centers (SWCs), and police remains fragmented.

The psychosocial impact of prolonged displacement is profound. Children reported fear, exhaustion, and lack of trust in institutions.

At the regional level, Serbia's experience reflects broader systemic weaknesses along the Western Balkan route: limited cross-border coordination, lack of standardized referral procedures, and recurring violations of the principle of non-refoulement. The adoption of the EU Pact on Migration and Asylum may intensify these dynamics if child-specific safeguards are not integrated into new border procedures. Serbia is widely perceived by most unaccompanied and separated children (UASC) as a transit country, which contributes to their reluctance to enter the protection system formally. Yet this perception conveniently aligns with the priorities of Serbian authorities, who use it as a pretext for inaction in contravention of their responsibilities and avoid fully upholding their obligations toward these children.

To close the persistent gap between legislation and practice, the report calls for:

- Proactive identification and registration of all unaccompanied children at borders and in transit;
- Immediate appointment of guardians and creation of a national coordination protocol linking CRM, SWCs, and police;
- Equal access to healthcare and other services, guaranteed under Serbian and international law;
- Mainstreaming of psychosocial support and legal aid into state systems; and

- Regional cooperation aligned with the EU Pact to ensure cross-border referral, family reunification, and accountability for child-rights violations.

The monitoring results reaffirm that Serbia's progress will be measured not only by its legislative alignment with EU and UN standards, but by its ability to ensure that every unaccompanied child is visible, protected, and supported from the moment of arrival through to durable solutions.

1. Introduction and context

Due to its geographic position, the Republic of Serbia represents one of the most important transit countries along the Balkan route. It shares borders with eight countries in total, four countries of the European Union (EU): Bulgaria, Romania, Hungary, and Croatia and four non-EU countries: North Macedonia, Bosnia and Herzegovina, Montenegro and Kosovo. The Western Balkan migration route, to which Serbia belongs, became a major corridor during the 2015 increase in refugee arrivals through Greece, Bulgaria, North Macedonia, and Serbia to Northwestern Europe. Over one million refugees transited the Balkans in 2015,¹ while approximately 580,000 expressed the intent to seek asylum in Serbia;² nonetheless, they continued their journey west. 2015 passages mainly consisted of people fleeing war and persecution in Syria, Afghanistan, Iraq, Iran, and other conflict zones, entering Serbia from North Macedonia and moving onward toward Hungary or Croatia.³ In late 2015 and early 2016, the European Union and Balkan states imposed stricter border controls (including Hungary's border fence and the March 2016 EU-Turkey agreement), effectively "closing" the Balkan route.⁴ This led to a sharp drop in arrivals, from 1.8 million irregular entries to Europe in 2015 to approximately 206,000 in 2017.⁵ However, the route was never fully closed.

Following the EU-Turkey deal, the number of people transiting through Serbia at any given time decreased, yet remained in the tens of thousands annually. During this period, Serbia expanded its reception capacity and adopted a new Asylum Law in 2018 to further align with international standards. Though migration continued, the demographic structure changed. While people from Syria and Afghanistan continued arriving, more arrivals from Pakistan, Iran, and African countries were noted.⁶ Many treated Serbia as a transit country, attempting to cross into EU states. Reports of pushbacks and collective expulsions increased – for example, over 388,000 pushbacks from Hungary to Serbia were recorded between 2016 and 2023 (over 100,000 in

¹ UNHCR, A Decade of Progress: 10 years of the EU Regional Support to Protection-Sensitive Migration Management systems in the Western Balkans, available at: https://www.unhcr.org/europe/news/press-releases/decade-progress-10-years-eu-regional-support-protection-sensitive-migration?utm_source=chatgpt.com.

² Commissariat for Refugees and Migration of the Republic of Serbia, Migration Profile of the Republic of Serbia for 2015 (Migracioni profil Republike Srbije za 2015. godinu), p. 41, available in Serbian at: <https://kirs.gov.rs/media/uploads/Migracije/Publikacije/migracioni%20profil%202015.pdf>.

³ Ibid.

⁴ Nermin Oruc and Danica Santic (2021) The Western Balkans migration route (2015-2019). In Alexander Maleev, Irina Lysak, Radim Zak (ICMPD), *Migration Observatory: Collected Publications 2019-2020*, p. 120, available at: https://www.icmpd.org/file/download/61861/file/2021-09-27_PP_Book_A5_EN_web.pdf#:~:text=Over%20one%20million%20refugees%20used,and%20Mediterranean%20corridors%20remain%20busy.

⁵ Ibid, p. 120.

⁶ Ibid,

2023 alone),⁷ indicating the ongoing challenges migrants faced at Serbia's EU borders. Serbian authorities themselves also at times denied entry or summarily returned people to neighboring countries (North Macedonia, Bulgaria), raising concerns about refoulement.⁸

Between 2019 and 2021, migration through Serbia began rising again. By 2019, irregular movements along the Balkans picked up due to factors like renewed conflicts and adaptations in smuggling routes.⁹ In 2019 Serbia registered 12,935 intentions to seek asylum (a proxy for new arrivals).¹⁰ This dropped in 2020 amid COVID-19 travel restrictions (2,813 intentions) and did not go back to the numbers witnessed prior to 2020.¹¹ The fall of Afghanistan to the Taliban in 2021 also influenced movements; Afghans became a prominent group on the route. By 2021, Serbia recorded 2,306 asylum intentions, while thousands more passed through informally.

A notable surge occurred in 2022, making Serbia once again a significant transit hub. Approximately 130,000 refugees and migrants arrived in Serbia in 2022,¹² roughly double the number from 2021.¹³ The vast majority were from Syria and Afghanistan, but also from countries like Turkey, Pakistan, Burundi, India, Morocco and Tunisia. Serbia's prior visa-free entry for certain nationalities, such as Tunisians and Indians, made it an entry point until Serbia reintroduced visa requirements in late 2022 under EU pressure. Despite the high arrivals, few stayed to seek asylum in Serbia: only 4,179 people formally expressed intent to seek asylum, and just 319 asylum applications were submitted in 2022.¹⁴ The rest moved on, leaving Serbia primarily a transit country. By the end of 2022, Serbia also hosted a distinct group of Ukrainian refugees fleeing the war; 1,164 refugees from Ukraine were registered while 1,115 received temporary protection status in Serbia that year.¹⁵

Between 2023 and 2024 the migration to Serbia remained high. In 2023, approximately 106,000 arrivals were registered, i.e., slightly fewer than in 2022 yet still significant.¹⁶ Intentions to seek asylum dropped to 1,654 in 2023, indicating many migrants did not engage with the asylum system. Only 196 individuals lodged asylum applications in 2023, underscoring Serbia's role as

⁷ European Council on Refugees and Exiles (ECRE), AIDA Country Report on Serbia, 2023 update, available at: <https://ecre.org/aida-country-report-on-serbia-2023-update/#:~:text=Bulgaria%2C%20Montenegro%20and%20North%20Macedonia,reported%20on%20a%20daily%20basis.>

⁸ Ibid.

⁹ Nermin Oruc and Danica Santic (2021) The Western Balkans migration route (2015-2019). In Alexander Maleev, Irina Lysak, Radim Zak (ICMPD), *Migration Observatory: Collected Publications 2019-2020*, p. 120, available at: https://www.icmpd.org/file/download/61861/file/2021-09-27_PP_Book_A5_EN_web.pdf#:~:text=Over%20one%20million%20refugees%20used,and%20Mediterranean%20corridors%20remain%20busy.

¹⁰ Commissariat for Refugees and Migration of the Republic of Serbia, Migration Profile of the Republic of Serbia for 2019 (Migracioni profil Republike Srbije za 2019. godinu), p. 29, available in Serbian at: https://kirs.gov.rs/media/uploads/Migracije/Publikacije/Migracioni_profil_Republike_Srbi.%20godinu.pdf.

¹¹ According to data provided by the Commissariat for Refugees and migration of the Republic of Serbia as of April 2025.

¹² UNHCR, Western Balkans -Refugees, asylum-seekers and other people in mixed movements as of end December 2023, available at: <https://data.unhcr.org/en/documents/download/106436>.

¹³ UNHCR reported 60,407 new arrivals in government reception centers in 2021. UNHCR, Serbia Update December 2021, p.1, available at: <https://data.unhcr.org/en/documents/download/90516>.

¹⁴ Commissariat for Refugees and Migration of the Republic of Serbia, Migration Profile of the Republic of Serbia for 2022 (Migracioni profil Republike Srbije za 2022. godinu), p. 43, available in Serbian at: <https://kirs.gov.rs/media/uploads/Миграциони%20профил%20Републике%20Србије%20за%202022-годину.pdf>.

¹⁵ Ibid, p. 46.

¹⁶ UNHCR, Western Balkans -Refugees, asylum-seekers and other people in mixed movements as of end December 2023, available at: <https://data.unhcr.org/en/documents/download/106436>.

a transit corridor rather than a destination.¹⁷ The main nationalities continued to be people from conflict-affected regions (Syria, Afghanistan) alongside others (notably increased numbers of North African and South Asian migrants). By 2023, 92% of arrivals were adult men, approximately 5% were children, and among children, a large portion were unaccompanied. Serbian authorities and NGOs reported ongoing challenges with migrants stranded at borders and irregular camps, as neighboring EU countries enforced returns to Serbia. In addition, Russian nationals appeared in Serbia fleeing persecution or the Ukraine war fallout, though many of them regularized their stay via other legal avenues (visa-free entry or temporary residence) outside the asylum system.

In 2024, the trend continued with a moderate decrease in overall numbers. Unofficial estimates suggest total arrivals were somewhat lower than in 2023. Unaccompanied children made up about 9% of arrivals in 2024.¹⁸ As of early 2025, arrivals are ongoing but at a reduced pace in winter. For instance, January 2025 saw 706 new entries to government centers, compared to over 5,000 in December 2023.¹⁹ However, 2025 was marked by a historic low in refugee and migrant arrivals across Serbia, including UASC, since 2018. According to UNHCR, only 5,092 individuals transited Serbia between January and July 2025, compared to 10,484 during the same period in 2024 and over 52,000 in 2023. Frontex reported a 47% reduction in irregular border crossings through the Western Balkans.

Serbia remains a key transit point in Europe's migration landscape, facing fluctuating influxes tied to geopolitical events (e.g. conflicts, policy changes) while managing a constant population of people on the move within its territory.

1.1 Unaccompanied and Separated Children (UASC)

Unaccompanied and separated children are one of the most vulnerable groups in Serbia's mixed migration flow. They are typically teenage boys, usually aged between 16 and 17, predominantly from Syria and Afghanistan, but also from countries like Egypt, Morocco, Pakistan, and Somalia. In recent years, Syrians have been the largest group among UASC, followed by Afghans. Girls are relatively few among UASC. Children cite reasons such as armed conflict, forced recruitment, extreme poverty, and family separation as drivers for their journey.²⁰ By the time they reach Serbia, many have endured dangerous conditions, including long overland treks and exploitation by smugglers.

The presence of UASC in Serbia grew alongside the overall migrant population. In 2022, Serbian authorities and UNHCR identified 2,688 unaccompanied or separated children arriving in the country. The figure remained high in 2023, with 2,292 UASC identified through the year, meaning that approximately 5–9% of all migrants were unaccompanied children in those years. Available data suggest a slight decrease in 2024; that year, fewer UASC arrived than in 2023. Nonetheless, social welfare centers appointed legal guardians to 1,829 UASC in 2024 (indicating at least that many UASC were present). Many of these children were from Syria, Afghanistan,

¹⁷ Commissariat for Refugees and Migration of the Republic of Serbia, Migration Profile of the Republic of Serbia for 2023 (Migracioni profil Republike Srbije za 2023. godinu), p. 40, available in Serbian at: <https://kirs.gov.rs/media/uploads/1Migracioni%20profil.pdf>.

¹⁸ UNHCR, Unaccompanied Children and Youth, available at: <https://www.unhcr.org/rs/en/unaccompanied-children-and-youth#:~:text=migrants>.

¹⁹ Data from regular monthly reports of the Commissariat for Refugees and Migration of the Republic of Serbia, available upon request.

²⁰ UNHCR, note 18.

and several North African countries.²¹ Notably, only a small fraction of UASC formally seek asylum in Serbia. For example, in 2022, only four unaccompanied children applied for asylum,²² while that number was negligibly higher in 2023 – 6.²³ Most move onward or remain without legal status.

At any given time, a few thousand migrants reside in Serbia's camps or informal squats – many hoping to cross into the EU. Unaccompanied children consistently number in the hundreds at any moment, and in the thousands over a year. This population mix demands continuous humanitarian response and flexible policies from the Serbian authorities and their partners.

1.2 Legal Status & Protection Needs

Unaccompanied children in Serbia often have an indeterminate legal status initially. Upon encounter, police or mobile teams register them and notify the local SWC, since by law a guardian must be appointed before a child can enter any legal procedure. UASC cannot officially lodge an asylum request until a guardian is assigned.²⁴ In practice, this causes delays: many UASC transit Serbia or even leave the country before a guardian is in place, meaning they never formally seek asylum. Those who remain are placed under the care of a temporary guardian and undergo a Best Interests Assessment/Determination (BIA/BID) by social workers.²⁵ Guardians guide the child through asylum procedures if the child chooses to apply and ensure access to services in the interim. However, the vast majority of UASC do not seek or obtain refugee status in Serbia, as many see Serbia as a stop on the way to Western Europe or lack information and thus do not pursue asylum. Consequently, many UASC in Serbia are persons without legal status, either waiting for or avoiding the asylum process. This precarious situation makes them vulnerable to various forms of exploitation and abuse, as well as detention or deportation, though Serbia has generally refrained from detaining children and tries to accommodate them in open centers.

Children not registered as asylum seekers in Serbia are entitled only to emergency medical services under domestic law. This limited access stands in contrast to Serbia's obligations under Article 24 of the Convention on the Rights of the Child,²⁶ which guarantees the right to health care without discrimination. Stakeholders reported gaps in service availability, a lack of pediatric specialists, and challenges in accessing mental health care for those who have attained status or are currently in the process of attaining it and are thus entitled to the same level of care as nationals. Interpreters are not consistently available, and legal barriers often prevent children from accessing essential treatment. These barriers are examined further in relation to protection risks in subsequent sections.

Serbia's laws and policies have nominally evolved to address mixed migration. The 2018 Asylum and Temporary Protection Act improved alignment with international standards, introducing

²¹ Ibid.

²² Commissariat for Refugees and Migration of the Republic of Serbia, Migration Profile of the Republic of Serbia for 2022 (Migracioni profil Republike Srbije za 2022. godinu), p. 43.

²³ Commissariat for Refugees and Migration of the Republic of Serbia, Migration Profile of the Republic of Serbia for 2023 (Migracioni profil Republike Srbije za 2023. godinu), p. 40.

²⁴ Family Law, Art. 132, "Official Gazette of the RS", no. 18/2005, 72/2011 - other laws and 6/2015.

²⁵ Asylum Information Database (AIDA), Serbia Country Report, Identification, available at: <https://asylumineurope.org/reports/country/serbia/asylum-procedure/guarantees-vulnerable-groups/identification/#:~:text=line%20with%20Article%2017%20of,officers%20who%20are%20tasked%20with>.

²⁶ United Nations. (1989). *Convention on the Rights of the Child*. Adopted by the General Assembly of the United Nations on 20 November 1989. Retrieved from: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.

provisions for vulnerable groups like UASC.²⁷ A Protocol on UASC, more precisely the Instruction on Procedures of Social Work Centers, clarified the roles of field social workers and police in identifying and assisting unaccompanied children.²⁸ The government also adopted a Strategy for Combating Irregular Migration and cooperates with EU border agencies – Serbia signed a status agreement with Frontex for joint patrols on all of its borders. Despite these frameworks, practical implementation relies heavily on support from humanitarian partners.²⁹

Unaccompanied children face many risks on Serbian territory. They are at heightened risk of abuse, trafficking, and exploitation, especially when they avoid official centers and sleep rough or rely on smugglers. Reports document UASC being victims of violence or extortion, including at the borders during pushbacks. Girls (though few) are particularly vulnerable to gender-based violence. Another challenge is age assessment. Serbia currently does not employ medical age assessments; the birth date is most often determined arbitrarily by the Ministry of Interior officers who encounter unaccompanied children in the field, either by accepting a declared age or by making an arbitrary birthdate record, often setting the birthdate to January 1 of an estimated year.³⁰ This can lead to misclassification of some children as adults (or vice versa), impacting their access to protection.³¹ Finally, lengthy asylum procedures and limited legal aid discourage UASC from pursuing asylum; even those who do apply may wait months for a decision, which is problematic given children's needs for stability.³² These ongoing issues highlight the need for strengthened child protection systems, faster guardianship assignment, and durable solutions, such as family reunification or relocation for those with relatives in other countries.

1.3 Legal Framework for Protecting UASC

Serbia is bound by and/or aspires to a range of international and regional legal instruments related to the protection of UASC.

Serbia is a State Party to the Convention on the Rights of the Child (CRC), which establishes the right of every child to special protection and assistance. The CRC developed several instruments focusing particularly on the right and protection of children in migration, such as General comment no. 6 on (2005) on the treatment of UASC outside their country of origin;³³ Joint General Comment No. 3 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and No. 22 of the CRC Committee (2017) on the general principles regarding the human rights of children in the context of international migration;³⁴ and Joint General Comment No. 4 of the CMW and No. 23 of the CRC Committee (2017) on State obligations regarding the human rights of children in the context of international

²⁷ "Official Gazette of the RS", no. 24/2018.

²⁸ Instruction on Procedures of Social Work Centres – Guardianship Authorities for the Accommodation of Unaccompanied Migrant/Refugee Children, Ministry of Labour, Employment, Veteran and Social Affairs, No. 019–00–19/2018–05.

²⁹ For a thorough overview of the legal framework consult the AIDA Serbia country report, note 7.

³⁰ AIDA, note 7.

³¹ Noted by both the Committee on the Rights of the Child and the Human Rights Committee in their concluding observations on Serbia's regular reports on the implementation of the treaties these committees oversee. See: CRC, *Concluding observations on the combined second and third periodic reports of Serbia*, 7 March 2017, CRC/C/SRB/CO/2-3, paras. 56-57, available at: <https://bit.ly/4kv1D5m>; and HRC, *Concluding observations on the third periodic report of Serbia*, 10 April 2017, CCPR/C/SRB/CO/3, paras. 32-33, available at: <https://bit.ly/3Zx9A1R>.

³² ECRE, AIDA Country Report on Serbia, note 7.

³³ Committee on the Rights of the Child (2005), General Comment No. 6 on Treatment of unaccompanied and separated children outside their country of origin, CRC/GC/2005/6, available at: <https://www.refworld.org/legal/general/crc/2005/en/38046>.

³⁴ CMW/C/GC/3-CRC/C/GC/2, available at: <https://www.refworld.org/legal/general/cmw/2017/en/149169>.

migration in countries of origin, transit, destination and return.³⁵ Although general comments are not binding, the Serbian Constitution requires the beneficial interpretation of the practice of international institutions supervising the implementation of international treaties;³⁶ therefore, in essence, compelling the State apparatus to adhere to the highest standards of protection of human rights and the guidance of, among others, the Committee on the Rights of the Child.

Serbia is party to the 1951 Refugee Convention³⁷ and the 1967 Protocol,³⁸ thereby obliged to uphold the principle of non-refoulement and to provide refugees (including child refugees) with rights to identity papers, travel documents, education, and welfare on par with citizens. While not child-specific, the Refugee Convention underpins protection for any child who meets the refugee definition, and it informs Serbia's Asylum Act.

Likewise, in terms of adhering to the highest standards of human rights protection, Serbia should be guided by the UNHCR Guidelines on Refugee Children³⁹ and on Unaccompanied Minors,⁴⁰ as they clarify how to apply refugee law to children. UNHCR's Guidelines on Determining the Best Interests of the Child⁴¹ are also highly relevant as they outline procedures for Best Interests Assessment/Determination (BIA/BID) to ensure that decisions such as placement, family reunification or asylum are guided by the child's best interests. Serbia, with UNHCR's support, has incorporated these principles into its child protection system for UASC.

In addition, the Global Compact on Refugees⁴² and the Global Compact for Safe, Orderly and Regular Migration⁴³ reinforce international consensus on protecting migrant children, calling for alternatives to detention and access to services for UASC. At the regional level, the Belgrade Declaration of the Skopje Process (2017) brought Balkan states together to enhance cooperation on refugee protection, with specific reference to child protection. Additionally, organizations like UNICEF and Save the Children have developed Minimum Child Protection Standards in Humanitarian Action,⁴⁴ which Serbia's responders use as guidelines for treating children on the move.

Although Serbia is not an EU member, it is a candidate country and has aligned many of its laws with the EU asylum acquis, drawing on EU standards for UASC protection. Notable directives include the EU Reception Conditions Directive,⁴⁵ which requires suitable reception conditions for children (e.g. access to education, appropriate accommodation, and guardianship for those

³⁵ CMW/C/GC/4-CRC/C/GC/23, available at: <https://www.refworld.org/legal/general/cmw/2017/en/119567>.

³⁶ The Constitution of the Republic of Serbia, "Official Gazette of the RS", Nos. 98/2006 and 115/2021, Art. 18(3).

³⁷ Convention relating to the Status of Refugees. (1951, July 28). 189 U.N.T.S. 137.

³⁸ Protocol relating to the Status of Refugees. (1967, January 31). 606 U.N.T.S. 267.

³⁹ United Nations High Commissioner for Refugees. (1994). *Refugee children: Guidelines on protection and care*. UNHCR.

⁴⁰ United Nations High Commissioner for Refugees. (1997). *Guidelines on policies and procedures in dealing with unaccompanied children seeking asylum*, available at: <https://digitallibrary.un.org/record/465510?v=pdf>.

⁴¹ United Nations High Commissioner for Refugees. (2008). *UNHCR guidelines on determining the best interests of the child*, available at: <https://www.refworld.org/policy/opguidance/unhcr/2021/en/122648>.

⁴² Global Compact on Refugees, UN doc A/73/12 (Part II) (2 August 2018), available at: <https://globalcompactrefugees.org/sites/default/files/2019-12/Global%20compact%20on%20refugees%20EN.pdf>.

⁴³ Global Compact for Safe, Orderly and Regular Migration, UN doc A/RES/73/195 (19 December 2018), available at: <https://www.refworld.org/legal/resolution/unga/2019/en/147186>.

⁴⁴ The Alliance for Child Protection in Humanitarian Action (2020), Minimum Standards for Child Protection in Humanitarian Action (CPMS), available at: https://alliancecpa.org/sites/default/files/technical/attachments/cpms_2019_final_en.pdf.

⁴⁵ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast). (2013). *Official Journal of the European Union*, L 180, 96–116.

unaccompanied; the EU Asylum Procedures Directive,⁴⁶ which mandates special guarantees for unaccompanied children in asylum processes (such as priority processing and legal representation); and the EU Qualification Directive,⁴⁷ which underscores that the “*best interests of the child*” must be taken into account in refugee status determinations and that child-specific forms of persecution (like recruitment of child soldiers) can ground refugee claims. Additionally, the EU Anti-Trafficking Directive⁴⁸ and the EU Return Directive⁴⁹ have provisions concerning children – for instance, the latter stipulates that unaccompanied children should only be returned in safe conditions with institutional care or family awaiting. While these EU laws are not directly binding on Serbia yet, Serbia’s domestic laws (the 2018 Asylum Act, etc.) were formulated with their standards in mind, and Serbia participates in EU-supported programs that promote compliance with such norms.

Serbia is a member of the Council of Europe and thus subject to the ECHR,⁵⁰ and Article 3 (prohibition of inhuman treatment) and Article 8 (right to family life), as well as Article 4 of Protocol No. 4 (prohibition of collective expulsion) are invoked in UASC cases (e.g. to address pushbacks, violence, challenge detention, or to pursue family reunification). The Committee of Ministers of the Council of Europe has issued recommendations such as CM/Rec(2007)9 on life projects for unaccompanied migrant minors,⁵¹ encouraging states to develop long-term solutions for UASC, as well as Recommendation CM/Rec(2019)11 on effective guardianship for UASC in the context of migration.⁵² The Council of Europe’s “Twenty Guidelines on Forced Return”⁵³ also stress that the removal of children must respect their best interests. Furthermore, Serbia adheres to the Istanbul Convention,⁵⁴ provides for the protection of girl migrants from gender-based violence, and the Council of Europe Convention on Action against Trafficking in Human Beings,⁵⁵ which provides a framework for identifying and protecting child trafficking victims among UASC.

Together, these instruments form a comprehensive protective framework. In Serbia’s context, their principles are reflected in domestic law: for example, Serbia’s Family Law⁵⁶ and Law on Social Protection⁵⁷ embed the best interests principle; the Asylum Act guarantees the non-refoulement principle and special procedure safeguards for children; and national bylaws

⁴⁶ Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast). (2013). *Official Journal of the European Union*, L 180, 60–95.

⁴⁷ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast). (2011). *Official Journal of the European Union*, L 337, 9–26.

⁴⁸ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. (2011). *Official Journal of the European Union*, L 101, 1–11.

⁴⁹ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals. (2008). *Official Journal of the European Union*, L 348, 98–107.

⁵⁰ *Convention for the Protection of Human Rights and Fundamental Freedoms*. (1950, November 4). C.E.T.S. No. 5.

⁵¹ Council of Europe, Committee of Ministers. (2007). *Recommendation CM/Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minors*.

⁵² CoE, Committee of Ministers, 11 December 2019, 1363rd meeting of the Ministers’ Deputies, available at: <https://rm.coe.int/cm-rec-2019-11-guardianship-en/16809ccfe2>.

⁵³ Council of Europe, Committee of Ministers, *Twenty Guidelines on Forced Return*, (4 May 2005), available at: <https://www.refworld.org/policy/legalguidance/coeministers/2005/en/20254>.

⁵⁴ *Council of Europe Convention on preventing and combating violence against women and domestic violence*. (11 May 2011). C.E.T.S. No. 210.

⁵⁵ *Council of Europe Convention on Action against Trafficking in Human Beings*. (2005, May 16). C.E.T.S. No. 197.

⁵⁶ Note 26, Art. 6.

⁵⁷ Law on Social Protection, “Official Gazette of the RS”, no. 24/2011 and 117/2022 – Constitutional Court decision, Art. 26.

regulate guardianship and care standards. Ongoing training by UNHCR, EU agencies, and NGOs serves to assist Serbian officials in implementing these international standards. Nonetheless, gaps remain between law and practice – a reminder that continued vigilance is needed to ensure that every unaccompanied child in Serbia receives the protection and care that these international and regional standards demand.

1.4 National and Humanitarian Response

The Government of Serbia has the primary responsibility for migrants and asylum seekers, including UASC. Key institutions include the Ministry of Interior (MoI) – specifically the Asylum Office and Border Police Directorate – which registers asylum intentions and conducts asylum status determination. Likewise, the border police is competent for the protection of Serbia's borders and is therefore often the first actor to interact with migrants and refugees. The Commissariat for Refugees and Migration (Commissariat) manages the network of Reception and Asylum Centers where migrants (including UASC) are housed and cared for. The Ministry of Labour, Employment, Veterans and Social Affairs oversees the work of SWCs, which are in charge of child protection – the SWCs appoint guardians for UASC and supervise their welfare. Each unaccompanied child is assigned a guardian from the local SWC who makes decisions in the child's best interests and coordinates access to services. The Ministry of Education plays an important role by facilitating refugee children's school enrollment, issuing instructions, and allowing flexible documentation requirements. Additionally, the Ministry of Health is competent for ensuring that asylum seekers can access urgent medical care and that children are included in immunization and health check-ups, often in coordination with international agencies. However, the assessment results indicate that there are gaps in the health system impacting the right to health of people on the move, including unaccompanied children.

International organizations also play a crucial role in the field of migration and asylum. The United Nations High Commissioner for Refugees (UNHCR), as the international organization with the mandate to protect and safeguard the rights of refugees, advises the government on all matters pertaining to asylum and international protection, coordinates assistance, builds local capacities for refugee protection, and more. UNHCR Serbia works closely with the government to identify those in need of international protection, monitors pushbacks and human rights at borders through cooperation with local civil society actors. UNHCR and United Nations Children's Fund (UNICEF) have a strong partnership formalized by a 2023 Letter of Understanding to ensure refugee children's protection and access to services, acknowledging the government's lead role.⁵⁸ UNICEF focuses on child-friendly spaces, education, and psychological support. It helped set up child playrooms and safe zones in reception centers, and it provides technical assistance to strengthen Serbia's child protection system for UASC, as well as other children. Other UN agencies like IOM assist with migrant reception and voluntary return programs and maintain data on migration flows, while also supporting government efforts at integration and social protection of refugees and asylum seekers.

A robust network of international and local NGOs complements state services. IDEAS, the Belgrade Centre for Human Rights (BCHR), Asylum Protection Center (APC/CZA) provide free legal aid to asylum seekers, including children, helping them navigate the asylum procedure and appeal rejections, while they also provide integration support. Psychosocial Innovation Network

⁵⁸ See: <https://www.unicef.org/serbia/en/press-releases/unicef-and-unhcr-join-forces-to-support-refugees-and-migrants-in-serbia#:~:text=The%20Letter%20of%20Understanding%20signed,of%20Serbia%20in%20leading.>

(PIN) and International Aid Network (IAN) provide psychosocial and psychiatric support (respectively) to people in migration, including children in migration. JRS (Jesuit Refugee Service) plays an operational role in guardianship, with field-based guardians offering case management, psychosocial support, and accompaniment to children in Belgrade and elsewhere. Praxis and A11 Initiative work on internal displacement, statelessness, and documentation issues, which benefit persons without legal status, such as Roma or long-term displaced people. The IRC, Save the Children, World Vision, and SOS Children's Villages run or have run child protection programs for migrant children in Serbia, including safe spaces and case support. NGO Atina operates a shelter for trafficking survivors and at-risk women and girls, where some UASC who are trafficking victims receive care, while Astra operates the European Hotline for Missing Children, which occasionally receives reports concerning UASC – 26 such cases were registered between 2012 and 2024, mostly involving children from Iraq, Iran, and Afghanistan. Both are important actors in trafficking prevention and child protection, especially in policy discussions and referral pathways. The Serbian Red Cross is active in camps, providing humanitarian aid and family tracing (crucial for reuniting separated children with relatives). NGOs like Info Park, Klik Aktiv, NoNameKitchen, Médecins SansFrontières, Collective Aid, Refugee Aid Serbia assist migrants and refugees in the field by providing information, food and non-food items, healthcare support, and referrals. Coordination among actors happens predominantly through informal channels and bi-monthly meetings convened by UNICEF efforts and protection interventions.

2. Methodology

Data was primarily collected through individual interviews conducted with unaccompanied and separated children as part of the protection monitoring cycle, but also through secondary data analysis and desk research, and through key informant interviews implemented at the onset of the protection monitoring cycles as part of an initial needs assessment.

Protection monitoring is understood as a systematic and continuous process of collecting, verifying, and analyzing information over a sustained period, with the aim of identifying rights violations as well as protection risks, priorities, and needs of populations of concern. The outcomes of this process provide a foundation for evidence-based responses and community-focused advocacy.

This report covers the period between March and September 2025 and focuses on the protection issues and needs of unaccompanied children traveling through Serbia on their journeys towards Europe. The protection monitoring data collection focuses predominantly on rights violations experienced by these children on the route, particularly on any forms of violence perpetrated by authorities, including pushbacks, and other bad actors such as actors, traffickers, vigilante groups, and others.

Protection monitoring activities were conducted at the border entry and exit points of Serbia, particularly at the borders with Bulgaria, Croatia, and Hungary. The activities were implemented in cooperation with Info Park, a long-standing partner organization to IRC Serbia. The activities included:

- Regular mobile outreach team field visits to the border areas;
- Information provision and referral to specialized services, such as legal counseling and medical assistance.
- Individual interviews with the population of concern, key informant interviews (KII), observation, and literature review;

The areas that the IRC and Info Park team visited were chosen on the basis of a needs assessment⁵⁹ conducted in February and March 2025. The needs assessment consisted of 23 interviews with representatives of NGOs, INGOs, and IGOs focusing on the protection of the rights of migrants, asylum seekers, and refugees, as well as field visits to areas in the vicinity of the borders of the aforementioned countries. During the field visits, the needs assessment team, consisting of an IRC staff member, as well as Info Park's cultural mediator and protection staff, also gathered information through interviews with key informants, such as residents of the visited areas.

The data collected through the individual interviews conducted for protection monitoring purposes include:

- general information about the place and date of the interview,
- general, non-personalized information about the interviewee,
- reasons for leaving the country of origin or habitual residence,
- their destination country,
- information concerning their arrival in Serbia and access to territory,
- information pertaining to the last prevention of entry they experienced, if they had such experiences,
- information concerning their access to asylum in Serbia,
- reception conditions in Serbia,
- interviewees' intentions moving forward,
- details on the last pushback,
- information on any protection-related incidents that they would like to report,
- and a set of questions for the interviewer to assess whether a given case merits referral to a different, specialized service provider.

The interview questions are structured, and the data collected is primarily quantitative. However, there is a separate protection

The findings should be interpreted with the following **limitations** in mind:

The sample is indicative rather than representative of all children transiting through Serbia.

Data are self-reported, sometimes affected by fear, trauma, or memory lapses.

Privacy and safety concerns influenced some interviews, which were at times conducted while smugglers or facilitators were nearby.

Reported incidents such as pushbacks or detention could not be independently verified.

Restricted access to certain areas limited the geographical coverage of fieldwork.

Despite these limitations, the research offers a credible and consistent evidence base on the protection risks and access gaps affecting unaccompanied and separated children in Serbia.

⁵⁹ Available at: <https://rescue.box.com/s/duxwtbtxfk5851j9sqkfcqw6szpael3>.

incident report form that allows for collecting more in-depth information concerning individual protection incidents.

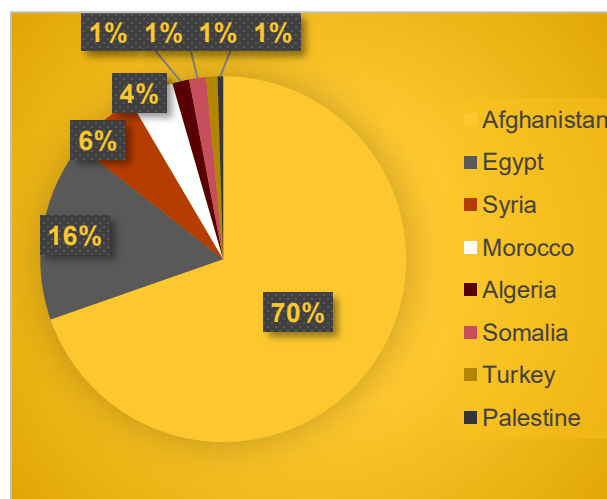
The interview questions were, for the most part, closed-ended, and respondents were able to provide multiple responses to certain questions, such as those related to the reasons for leaving the country of origin, the types of rights violations experienced, who they received information from on access to rights and protection, and more. The questions were designed with the support of the IRC regional child protection specialist, as child protection was the central consideration in the design and implementation of this activity.

The interview data were collected in Belgrade, Obrenovac, Loznica, and in the vicinity of the Hungarian border, particularly Horgoš and Subotica.

3. Findings

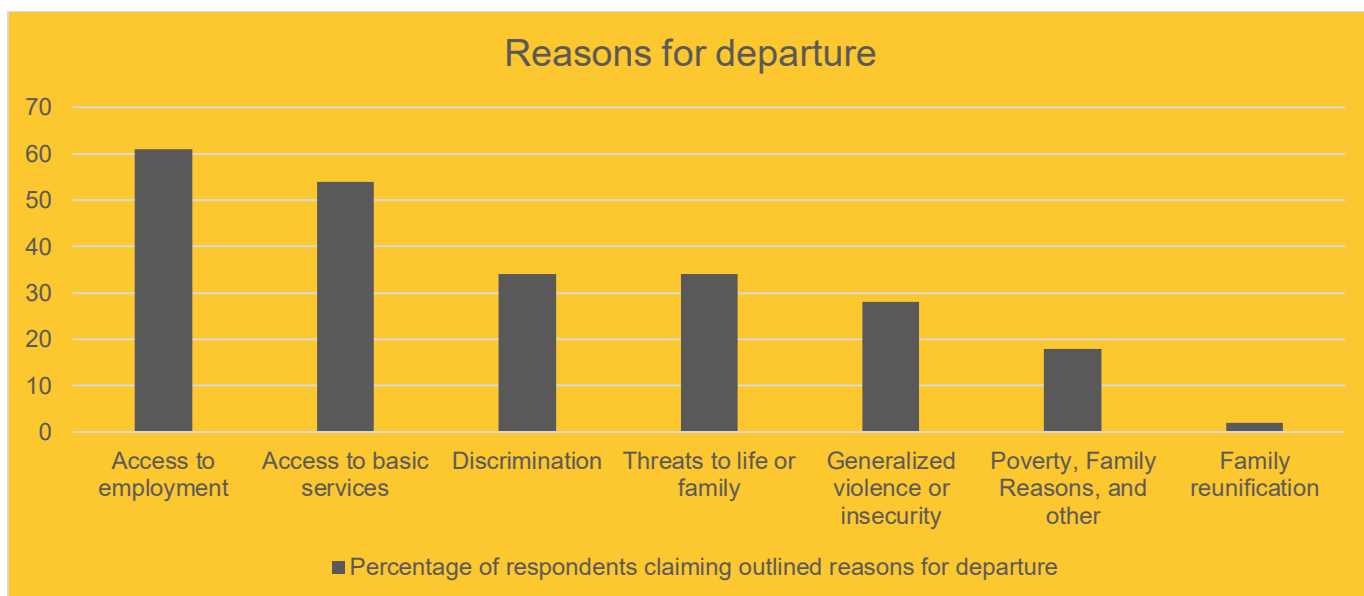
3.1 Demographics and Context of Interviews

Between March and September 2025, IRC and Info Park interviewed **206 unaccompanied children**, only two of whom were girls (1%). Interviews were conducted in **Belgrade (142)**, **Obrenovac (43)**, **Horgoš (16)**, and **Loznica (5)**, covering both urban and border contexts. The majority of children were from **Afghanistan (70%)**, followed by **Egypt (16%)**, **Syria (6%)**, **Morocco (4%)**, **Algeria (1.5%)**, **Somalia (1.5%)**, **Turkey (1%)**, and **Palestine (0.5%)**. Almost all respondents were boys between 15 and 17 years of age.



3.2 Reasons for Departure

The main reasons for departure from countries of origin or habitual residence were related to socio-economic hardship and insecurity. The most frequently cited reasons were **limited access to employment (61%)**, **lack of access to basic services (54%)**, **discrimination (34%)**, **threats to life or family (34%)**, and **generalized violence or insecurity (28%)**. Smaller numbers mentioned **family reunification (2%)** and other reasons such as poverty, family decisions, or being born as refugees (18%). Among those who reported threats to life or family, **19%** cited political opinion, **9%** ethnicity or race, **5%** nationality, and **8%** religion as the underlying causes.



3.3 Travel, Education, and Documentation

Almost all respondents reported travelling with someone. Only one child stated that he was travelling completely alone. Ten children (5%) travelled with other boys, 14 (7%) with family members, and 122 (62%) with other adult men. In terms of education, **11%** had no formal schooling, **53%** had attended primary education, and **37%** secondary education.

Only six individuals (3%) reported possessing passports, both girls among them. A small number had ID cards, birth certificates, or residence permits, but **93%** stated that they had no documents at all. Regarding habitual residence prior to departure, **48%** lived in Afghanistan, **24%** in Turkey, **14%** in Egypt, **3%** in Iran, **3%** in Morocco, and smaller numbers in Algeria, Somalia, Syria, Pakistan, and Palestine.

3.4 Prior Asylum Status and Reasons for Leaving

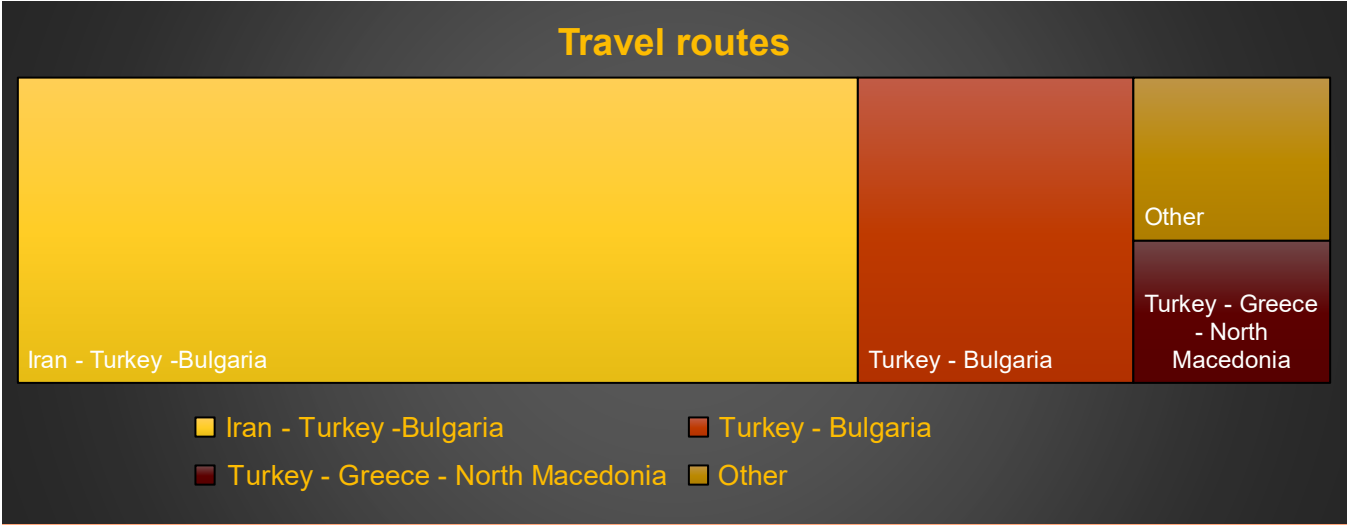
Seventeen children (8%), reported having previously been granted refugee status, mostly in Turkey and Iran, while the remaining 92% had not. The main reasons for leaving countries of asylum included **difficulty finding work (8%)**, **limited access to education (5%)**, **hostility from local communities (6%)**, **insecurity (4%)**, **restricted movement (3%)**, and **delays in family reunification (1%)**.

3.5 Duration of Displacement and Travel Routes

Regarding the duration of displacement, **7%** had left their country of origin within the previous month, **26%** between one and three months earlier, **28%** between three and six months, **14%** between six months and one year, **14%** between one and five years, and **9%** more than five years earlier. Travel time to Serbia was relatively short: **4%** arrived within a week, **41%** within one month, **43%** within one to three months, **9%** within three to six months, and **2%** after longer journeys.

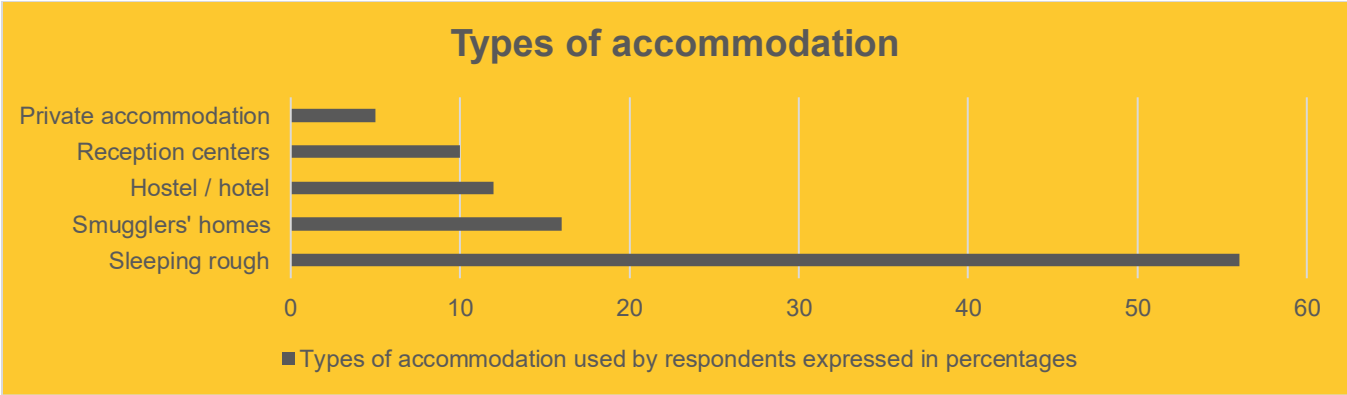
The most common travel routes were **Iran–Turkey–Bulgaria (64%)**, **Turkey–Bulgaria (21%)**, **Turkey–Greece–North Macedonia (7%)**, **Tunis–Turkey–Greece–North Macedonia (4%)**, and others. Nearly all respondents travelled **by land (95%)**, while a small number travelled by

air (5%). About **half (50%)** stated that they had been prevented from continuing their journey in one or more countries along the route.



3.6 Accommodation and Safety

At the time of the interview, **56%** of children were sleeping outside or in squats, **16%** were staying in smugglers' homes, **12%** in hostels or hotels, **10%** in reception centres, and **5%** in private accommodation. Conditions in informal settings were described as poor, while those staying in reception or asylum centres generally assessed conditions as good or fair.



When asked how safe they felt in their accommodation, **19%** said they felt very safe, **4%** moderately safe, **39%** neither safe nor unsafe, and **4%** unsafe or very unsafe, while the rest did not provide an answer. Safety perceptions regarding the neighbourhood were similar, with **17%** reporting that they felt very safe, **33%** neither safe nor unsafe, and **4%** unsafe or very unsafe, and the rest provided no answers.

3.7 Access to Essential Services

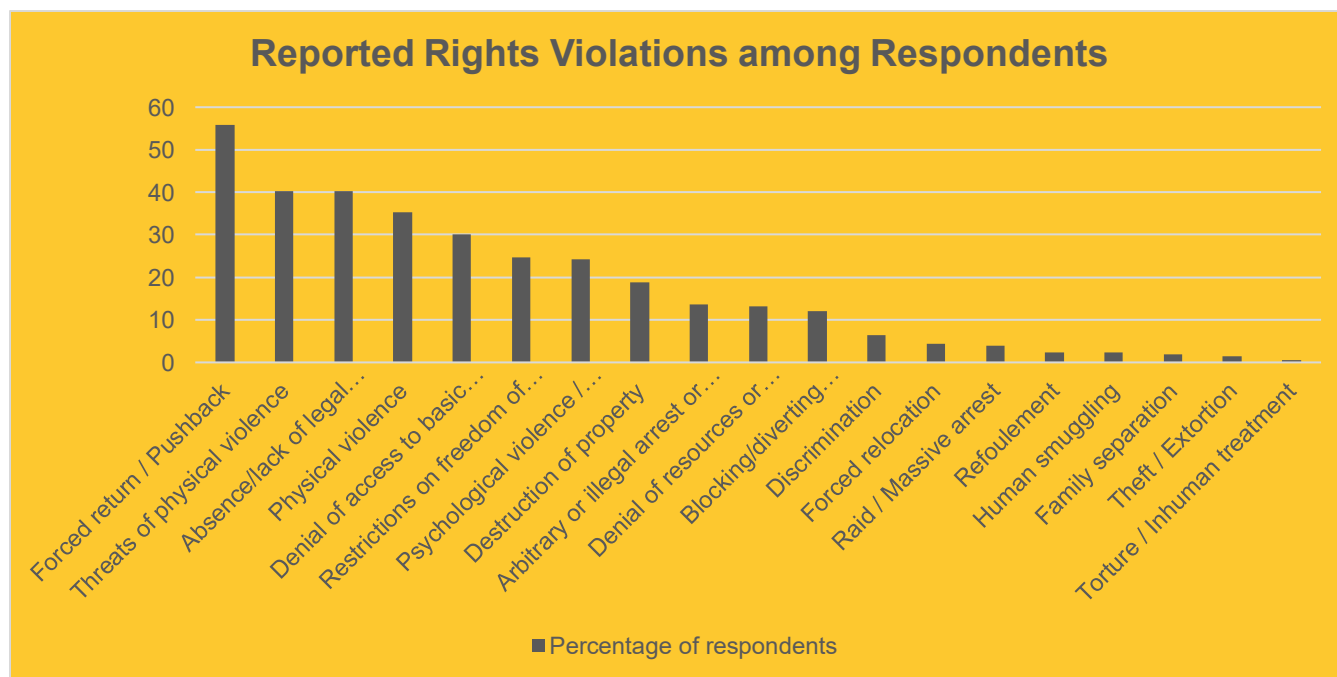
Access to essential services remained very limited. Only **5%** of children reported receiving legal counselling or information, and **6%** had access to health services. Educational engagement was low: **3%** attended informal education or language classes, **5%** participated in recreational activities, while more than a third (35%) had no educational engagement at all.

3.8 Awareness of Asylum and Returns Procedures

Awareness of asylum procedures in Serbia was high. Some **82%** of respondents said they were informed that they could apply for asylum, while **18%** said they were not. Among those who had received information, **86%** cited NGOs as the source, **11%** UNHCR, **4%** social media, **5%** other refugees, and fewer than **2%** border police or legal guardians.⁶⁰ When asked who provided the most useful information, **78%** named NGOs. Despite this, only **7%** reported that authorities had asked whether they wished to apply for asylum, and just **1%** said that they had expressed such intent themselves.

77% of children stated that information about the asylum procedure was provided in a language and manner they understood, while **18%** said it was not. Awareness of assisted voluntary return programmes reached **26%**, but all respondents who were aware said they were not interested in that option.

3.9 Rights Violations and Authorities Involved



Reports of rights violations remained widespread, and the majority of the children interviewed reported having suffered several rights violations on their journey. **Pushbacks (56%)** were the most frequently reported, followed by **threats of physical violence (40%)**, and **absence of legal support or representation (40%)**. **Physical violence (35%)**, **denial of access to basic services (30%)**, **restrictions on freedom of movement (25%)**, and **psychological or emotional abuse (24%)** were also common. Less frequent but still notable were reports of **destruction of property (19%)**, **arbitrary or illegal detention (14%)**, **denial of resources or opportunities (13%)**, and **blocking or diversion of humanitarian aid (12%)**. **Discrimination (6%)**, **forced relocation (4%)**, **raids or massive arrests (4%)**, **refoulement and human smuggling (2% each)**, **family separation (2%)**, **theft or extortion (1.5%)**, and **torture or inhuman treatment (0.5%)** were reported only occasionally. Among those affected by restriction

⁶⁰ Respondents were able to provide multiple answers to this question.

of movement or detention, **4%** reported that this took place in reception centres, **1%** in detention centres, **2%** in police stations at the border, and **20%** in transit centres. Reported durations varied from **one to two days (21 cases)** to **more than 40 days (five cases)**. One child reported being kidnapped by smugglers near Dimitrovgrad and held for three days.

When asked who prevented them from entering a country, **52%** cited border police, **18%** police, **1%** Frontex, and several mentioned the army.

3.10 Referral Needs

Enumerators assessed that **45%** of children required referral to at least one service, **8%** did not, while the remaining respondents provided no answer to the question. The most frequent referral needs were **health (42%)**, **material assistance (43%)**, **accommodation (31%)**, **psychosocial support (25%)**, **education (8%)**, **legal aid (3%)**, and **family reunification (4%)**. The respondents who were in need of referral were often in need of several services.

4. Analysis of findings

The cumulative findings from the implemented protection monitoring reflect a consistent pattern of risks, deprivations, and systemic gaps in the protection of unaccompanied and separated children in Serbia. Despite some positive developments in awareness of asylum procedures and a relative stabilization of border movements, the overall protection environment for children on the move remains precarious. **The data show that most children continue to live outside formal accommodation, rely primarily on humanitarian actors for information and assistance, and remain exposed to violence and exploitation without effective institutional safeguards.**

4.1 Overview of key trends

The data collected reveal several interlinked trends that define the overall protection environment for UASC in Serbia. Although the scale of movement has remained relatively stable throughout the year, the nature of the risks and the response mechanisms show persistent weaknesses. Four broad patterns stand out across all monitoring rounds: continued systemic exposure to violence and pushbacks; persistent exclusion from formal protection systems; increasing dependence on humanitarian actors for survival and information; and enduring material deprivation and psychosocial strain.

First, *rights violations remain pervasive and normalized*. More than half of the interviewed children reported at least one pushback during their journey, and one in three experienced physical violence. These figures have shown little variation compared to earlier quarters, confirming that illegal expulsions and ill-treatment at borders are not isolated incidents but part of an entrenched deterrence environment. Children's testimonies indicate that violence occurs both at EU borders and within Serbia, and that perpetrators include state actors, smugglers, and unidentified individuals. This continuity of risk highlights the absence of effective accountability or monitoring mechanisms that could prevent repetition.

Second, *access to protection mechanisms continues to be limited and largely symbolic*. Although awareness of asylum procedures is high (83%), practical access remains minimal: only 7% of respondents were asked by authorities whether they wished to apply for asylum, and merely 1% initiated an application. The gap between knowledge and engagement suggests that the asylum system operates passively, waiting for self-referrals instead of proactively identifying children in need of protection. This pattern also reveals that formal procedures rarely reach children outside reception centers, leaving the majority of those in informal settlements or squats entirely unregistered and unprotected.

Third, *non-state actors remain the primary providers of protection-related information and support*. Nearly nine in ten children who were informed about asylum or available services learned about them from non-governmental organizations. This imbalance underscores a continued institutional vacuum in outreach and first-line response. Humanitarian actors carry a disproportionate share of responsibility for informing, referring, and supporting children, despite lacking statutory mandates to make decisions or ensure durable solutions. The reliance on civil society reflects the resilience of the humanitarian network but also its limits in scale and sustainability.

Fourth, *living conditions and material deprivation remain critical*. More than half of the children (56%) sleep outside or in abandoned buildings, often in unsanitary and unsafe conditions. Only about one in ten resides in a reception or asylum center. These living arrangements correlate strongly with children's reported sense of insecurity: fewer than one in five feel "very safe," while nearly two-fifths neither safe nor unsafe, an ambivalent perception reflecting normalized risk and desensitization to danger. Material hardship directly affects health, nutrition, and mental well-being, compounding the negative impact of prolonged mobility and exposure to violence.

Taken together, these findings expose a persistence of structural barriers, limited institutional presence, inconsistent referral pathways, and weak inter-agency coordination continues to undermine Serbia's ability to deliver on its child-protection commitments.

4.2 Protection Risks and Rights Violations

The protection-monitoring data collected show that unaccompanied and separated children arriving in or transiting through Serbia have overwhelmingly experienced serious rights violations along their migratory routes. These incidents, occurring primarily in neighboring countries and at EU external borders, demonstrate the regional scale of harm and highlight the need for effective identification, assistance, and recovery mechanisms once children reach Serbian territory. The vast majority, if not all of these children, are continuing their journeys towards EU countries such as Germany, Italy, France, and others. Their trauma persists as they move on.

Over half of all respondents (56%) reported one or more pushbacks, most frequently at borders between non-EU and EU Member States. Children described being beaten, threatened, robbed, and forcibly returned without the chance to request asylum. Such treatment contravenes Article 22 of the CRC, which requires States to ensure appropriate protection for children seeking refugee status, and the principle of non-refoulement in Article 33 of the 1951 Refugee Convention. The European Court of Human Rights (ECtHR) confirmed that collective expulsions and returns without individual assessment breach Article 3 ECHR and Protocol No. 4 Article 4.⁶¹

⁶¹ See: *Hirsi Jamaa and Others v. Italy* [GC], no. 27765/09, ECHR 2012; *Sharifi and Others v. Italy and Greece*, no. 16643/09, 21 October 2014.

Although these violations did not occur within Serbia, their prevalence among children entering the country creates a positive protection obligation on Serbia under the CRC⁶² and ECHR Article 3 to facilitate recovery, rehabilitation, and access to remedies. Furthermore, the systematic nature of these abuses, which breach the absolute prohibition on inhuman and degrading treatment under Article 3 ECHR, means that Serbia must factor in this prior trauma and risk when assessing reception conditions to avoid subsequent, linked violations.

A total of 13% of children interviewed, reported having been detained or held by police, and another 26% experienced restrictions on movement at some point in their journey. These practices, reported mostly from transit states and border zones, present a breach of Article 37(b) of the CRC, which stipulates that detention shall be used only as a last resort and for the shortest appropriate period. The CRC Committee and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families maintain that immigration-related detention can never serve a child's best interests.⁶³ The ECtHR maintains that holding unaccompanied children in closed facilities constitutes inhuman and degrading treatment.⁶⁴ Serbia's responsibility, while not originating the detention, lies in identifying children who have undergone such experiences and ensuring that no further deprivation of liberty occurs upon arrival.

Physical violence was reported by 35%, threats by 40%, and psychological abuse by 23% of children. Many incidents occurred in neighboring states or during irregular crossings. Under Articles 19 and 39 CRC, States must protect children from all forms of violence and support their physical and psychological recovery. Serbia, as a country of entry after exposure to violence, bears a secondary obligation to provide timely medical, psychosocial, and legal support. The overlap between smuggling and trafficking routes further increases risk: indicators such as debt bondage or restriction of movement reported by respondents are consistent with potential trafficking situations under the Council of Europe Convention on Action against Trafficking in Human Beings, which Serbia has ratified.

Upon arrival in Serbia, 93% of children lacked any personal documentation, often because documents were confiscated or destroyed earlier in the journey. This absence of identity papers perpetuates vulnerability and exclusion from protection systems, contravening Articles 7 and 8 of the CRC and Article 8 of the ECHR. The CRC Committee, in its general comment No. 6, underscored that failure to ensure appropriate identification, registration, documentation, family tracing, and guardianship systems for unaccompanied children constitutes a breach of the right to effective protection. Ensuring documentation and legal identity upon arrival is thus the critical first step in Serbia's fulfilment of its obligations toward children who have suffered prior violations.

Although Serbia is not the principal locus of these abuses, the monitoring results underline its role within a broader regional system that exposes children to harm and then often leaves them unassisted. Although States cannot generally be held accountable for violations occurring outside its jurisdiction, Serbia must ensure that its reception, identification, and rehabilitation measures are robust enough to prevent further harm and violations.

⁶² Convention on the Rights of the Child, note 26, particularly articles 19 and 39.

⁶³ CRC Committee General Comment No. 6, para 61; CRC Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, Joint General Comment No. 4 (CMW)/No. 23 (CRC) on *State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return*, para 5, CMW/C/GC/4-CRC/C/GC/23, 16 November 2017.

⁶⁴ *Rahimi v. Greece*, no. 8687/08, 5 April 2011.

Unaccompanied children reaching Serbia have endured serious human-rights violations elsewhere along the route, and their subsequent safety and recovery depend on Serbia's ability to operationalize the standards set by the CRC, the 1951 Refugee Convention, and ECHR. Effective implementation requires systematic identification of affected children, immediate access to guardianship and medical or psychosocial care, and coordination with neighbouring states to ensure that no further pushbacks or unlawful returns occur.

4.3 Access to Protection and Services

Unaccompanied and separated children in Serbia continue to experience major obstacles in accessing protection, information, and basic services, despite the existence of a comprehensive legal framework guaranteeing these rights. Serbia's Law on Asylum and Temporary Protection and Law on Social Protection incorporate key obligations of the Convention on the Rights of the Child (CRC) and the 1951 Refugee Convention, ensuring that every unaccompanied child should be identified, assigned a guardian, and provided with adequate care, health, and education. In practice, however, the system remains reactive and fragmented, leaving most children dependent on humanitarian actors for access to rights that the State is legally bound to provide.

Although 83% of interviewed children knew they could apply for asylum in Serbia, only 7% reported that authorities had asked whether they wished to do so, and 1% had expressed intent themselves. This disparity highlights the passive nature of the system, where asylum procedures rely on self-referral rather than proactive identification by competent authorities. Such practice runs counter to Article 22 CRC, which requires States to "take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance," and to Article 18 of the EU Charter of Fundamental Rights, guaranteeing the right to asylum. The ECtHR holds that a failure to ensure access to an effective asylum procedure may amount to inhuman and degrading treatment under Article 3 ECHR when it leaves applicants in destitution.⁶⁵ Serbia's data suggest a comparable protection gap: awareness exists, but procedural accessibility is minimal, and responsibility for information provision has shifted to non-governmental organizations.

Only 5% of children received any legal counselling or assistance. The absence of systematic legal representation contravenes Article 20 of the CRC, which guarantees the right to special protection, Article 37(d) of the CRC, which guarantees prompt access to legal and other assistance for every child deprived of liberty, and Article 6 of the ECHR, guaranteeing access to an effective remedy. Guardianship, required under Article 12 of the Law on Asylum and Temporary Protection⁶⁶ and Article 124 of the Family Law,⁶⁷ is often delayed or nominal. The CRC Committee stresses that appointing a guardian immediately upon identification is essential to ensuring a child's best interests and access to rights.⁶⁸ The findings confirm that many unaccompanied children remain without a designated guardian for extended periods, undermining the procedural safeguards envisioned by both Serbian and international law.

⁶⁵ *M.S.S. v Belgium and Greece* [GC], no. 30696/09, 21 January 2011.

⁶⁶ Law on Asylum and Temporary Protection, "Official Gazette of the RS", no 24/2018.

⁶⁷ Family Law, "Official Gazette of the RS", no 18/2005, 72/2011 – other acts and 6/2015.

⁶⁸ CRC Committee General Comment No. 6, paras 21 and 33.

Health-service access remains extremely limited (6%). While Serbia's Law on Health Protection provides universal emergency care, unaccompanied children outside reception centers face practical barriers, language, transport, fear of authorities, that prevent them from exercising this right. Under Article 24 CRC and Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), the State must ensure the highest attainable standard of health without discrimination. The ECtHR has established that failure to provide adequate medical care to asylum seekers can, depending on the severity, constitute a breach of Article 3 ECHR (prohibition of inhuman and degrading treatment). The monitoring data show that psychosocial assistance, which is vital for children who have survived violence or exploitation, is provided almost exclusively by NGO teams, contrary to the State's duty under Article 39 CRC to promote the recovery and social reintegration of child victims.

Under Article 28 CRC, Article 2 of Protocol No. 1 ECHR, and Serbia's Family Law (Articles 62 and 263), every child has the right and obligation to attend primary education regardless of status. The CRC Committee in *A.B.A. et al. v. Spain* reaffirmed that excluding children with irregular administrative status from schooling violates the principles of non-discrimination and the best interest of the child, as well as their rights to education and an adequate standard of living.⁶⁹ Barriers identified by field teams include the lack of documents, frequent mobility, and the absence of language-support programs. While the Law on Foundations of the Education System provides for the inclusion of foreign children, its implementation is inconsistent and limited to larger municipalities. That being said, the fact that children choose not to remain in the country and transit through it rapidly makes their integration into education a difficult proposition, notwithstanding Serbia's legal obligation.

Enumerators assessed that 45% of children required referral to at least one service, most often health (42%), material support (43%), accommodation (31%), or psychosocial assistance (25%). Yet, incomplete documentation and fragmented coordination among the CRM, SWCs, and civil-society actors prevent effective follow-up. This fragmentation conflicts with the integrated-service approach required by Article 3 CRC (best interests of the child) and by the EU Reception Conditions Directive (2013/33/EU),⁷⁰ which obliges States to ensure access to medical care, education, and material reception conditions for all children, including those outside formal centers.

The cumulative picture is of a system in which rights exist largely on paper. Institutional presence is limited, outreach sporadic, and implementation dependent on donor-funded NGO projects. Such dependence contradicts the sustainability principle promoted by the EU Strategy on the Rights of the Child (2021–2024) and highlights persistent gaps in fulfilling Serbia's obligations under the CRC and the ECHR.

While Serbia's legal framework is well aligned with international and European standards, the monitoring data reveal persistent implementation failure. Ensuring genuine access to protection and services requires proactive identification of unaccompanied children, immediate guardianship assignment, systematic interpretation and translation support, and the provision of public health services to all children on the territory of the country, regardless of status. Only through such measures can Serbia fulfil its obligations under international human-rights law and transform formal guarantees into practical protection.

⁶⁹ CRC Committee, *A.B.A. et al. v. Spain*, CRC/C/90/D/11/2017, Views adopted 1 Sept 2022.

⁷⁰ Relevant with a view to Serbia's accession process to the EU.

4.4 Institutional Coordination and Policy Gaps

While Serbia's legislative framework on child protection and asylum is largely harmonized with international and European standards, the protection monitoring results reveal that institutional coordination remains fragmented and reactive. The mechanisms intended to guarantee effective identification, guardianship, and inter-agency cooperation for UASC rarely function in a consistent, child-centred manner.

The Commissariat for Refugees and Migration and Social Welfare Centers hold primary responsibility for reception, guardianship, and referral, in line with the Law on Asylum and Temporary Protection and the Law on Social Protection. However, monitoring data indicate that cooperation between these institutions, the police, and NGOs is uneven and often dependent on personal initiative. Many children are identified only through NGO outreach rather than by state structures, and referrals are delayed or incomplete. This pattern undermines Serbia's obligations under Article 3 CRC (best interests of the child) and Article 18(2), which require States to ensure that institutions, services, and facilities responsible for children conform to appropriate standards.

Although Serbia's legislation mandates immediate appointment of a guardian, in practice guardianship is often delayed, formalistic, or carried out remotely without direct engagement with the child. The Committee on the Rights of the Child's General Comment No. 6 and Council of Europe Recommendation CM/Rec(2019)11 both stress that guardianship is central to guaranteeing legal representation and individualized care for unaccompanied children. The ECtHR ruled that failure to provide effective guardianship and care to a detained child violated Articles 3, 5, and 8 ECHR, reaffirming that the absence of individualized support amounts to inhuman treatment, a violation of liberty, and interference with private and family life.⁷¹ In Serbia, excessive caseloads, lack of specialized training, and limited mobility of social workers prevent guardians from fulfilling their protective role, reducing guardianship to a procedural formality rather than a substantive safeguard.

The findings show that no unified database or referral protocol exists between the CRM, SWCs, and border authorities. Each institution maintains its own records, which are seldom interoperable. This fragmentation contravenes Article 4(2) CRC, which requires States to implement measures "to the maximum extent of their available resources" to realize rights in practice; and, although Serbia is not directly bound by it, deviates from the provisions in the EU Action Plan on Unaccompanied Minors (2010–2014) that call for coordinated data systems. The absence of systematic data-sharing leads to duplication, loss of follow-up, and under-reporting of children in need of protection.

Field evidence confirms that institutional coordination is constrained by chronic under-resourcing. SWCs in border areas often lack transportation, interpreters, or funds to conduct outreach, leaving NGOs as the de facto front line. This imbalance contradicts Article 2 CRC (non-discrimination) and the Istanbul Ministerial Commitment (2021) under the South-East Europe Child Protection Platform, which calls for state-led, adequately financed protection responses. While Serbia's alignment with the EU acquis has strengthened legal drafting, implementation remains donor-driven and project-based. The reliance on humanitarian funding threatens sustainability once external support ends, a concern repeatedly emphasized by the

⁷¹ *Mubilanzila Mayeka and Kaniki Mitunga v. Belgium*, Application no. 13178/03, Judgment of 12 October 2006.

Committee on the Rights of the Child in its concluding observations on Serbia (CRC/C/SRB/CO/3-4, 2017).

The monitoring results underscore the lack of independent oversight and complaints mechanisms for children in migration. Although the Protector of Citizens (Ombudsperson) holds a mandate to monitor rights violations, unaccompanied children rarely have access to these procedures or to confidential reporting channels. The ECtHR established that States have a positive obligation to ensure effective systems for detecting and remedying child abuse, even when perpetrators are non-state actors.⁷² In Serbia, the absence of systematic feedback loops between field actors and oversight bodies perpetuates institutional inertia.

Effective coordination within Serbia is also vital in the broader context of regional migration management. The EU Pact on Migration and Asylum⁷³ foresees strengthened external cooperation with Western Balkan states, emphasizing child-sensitive screening and referral. Without robust internal coordination mechanisms, Serbia risks becoming a procedural bottleneck, where children are registered but not meaningfully assisted. Ensuring interoperability between national systems and EU protection standards is thus both a domestic priority and a condition for future alignment with European frameworks.

While Serbia's institutional architecture mirrors international standards in form, its functionality remains weak. The absence of a coherent national coordination mechanism, delays in guardianship, and fragmented data management undermine the country's ability to fulfil its obligations. Strengthening coordination through a unified referral protocol, regular inter-agency case conferences, standardized data systems, and dedicated funding for outreach remains essential to transform normative alignment into protection for children on the move in practice.

4.5 Child Well-being and Psychosocial Impact

The monitoring results demonstrate that unaccompanied and separated children in Serbia continue to experience prolonged instability, psychological distress, and systemic neglect. Beyond the immediate humanitarian dimension, these conditions expose significant gaps in the realization of international child-protection standards to which Serbia and its European partners are formally committed.

Under the Convention on the Rights of the Child (CRC) and its Optional Protocols, all children, irrespective of nationality or migration status, have the right to protection from violence, adequate living conditions, access to healthcare and education, and the opportunity to recover from trauma (Articles 3, 9, 10, 12, 19, 20, 22, 24, 28, 37, 39). The Committee on the Rights of the Child's General Comment No. 6 further emphasizes that unaccompanied children must benefit from guardianship, psychosocial assistance, and durable solutions determined through a best-interests assessment. Complementary obligations arise from the 1951 Refugee Convention, the Council of Europe Convention on Action against Trafficking in Human Beings, and, within the EU context, the Reception Conditions Directive and Charter of Fundamental Rights.

Serbia's national legislation formally incorporates these principles. The Law on Asylum and Temporary Protection guarantees protection and guardianship for unaccompanied children; the

⁷² *O'Keeffe v. Ireland* [GC], No. 35810/09, ECHR 2014.

⁷³ European Commission, *Pact on Migration and Asylum* (Publications Office of the European Union, 2024) <https://op.europa.eu/en/publication-detail/-/publication/5b6019c8-0c31-11ef-a251-01aa75ed71a1/language-en>.

Law on Social Protection mandates psychosocial assistance; and the National Strategy for the Rights of the Child aligns with CRC provisions. Yet the monitoring data show that these standards remain largely aspirational in practice. Only 5% of children accessed legal counselling, 6% health services, and 3% any form of education, demonstrating a systemic failure to operationalize international commitments at field level.

More than half of respondents sleep outdoors or in abandoned structures, and barely one in five feel safe. Repeated pushbacks (56%) and violence (35%) compound trauma and erode trust in institutions. From the standpoint of Article 39 CRC, which requires that States facilitate the physical and psychological recovery of child victims of conflict, neglect, or exploitation, these conditions amount to a denial of rehabilitation and recovery opportunities. Interviews reveal chronic anxiety, sleep disturbance, and emotional withdrawal. The absence of guardians or consistent adult support structures further violates the principle that every unaccompanied child must benefit from “special protection and assistance.”

Less than one-quarter of children identified as needing psychosocial support were successfully referred to services. Mental-health care for migrants remains primarily project-based, provided by NGOs rather than integrated into public systems. This dependency contravenes the sustainability principles enshrined in the EU Strategy on the Rights of the Child (2021-2024) and the Global Compact for Safe, Orderly and Regular Migration (Objective 15), both of which urge States to mainstream child-sensitive services within national frameworks.

The lack of specialized training for social workers, limited interpretation, and resource constraints within Social Welfare Centers restrict the ability to identify trauma or refer cases to professional care. In practice, psychosocial support is often reduced to ad hoc counselling rather than structured therapeutic follow-up, insufficient for children who have endured cumulative trauma.

Girls, although only 1% of the sample, face a heightened risk of gender-based violence and exploitation. International instruments such as CEDAW and the Istanbul Convention, ratified by Serbia, impose an obligation to provide targeted protection and confidential reporting mechanisms, yet such pathways are largely absent outside Belgrade. Younger adolescents and children with chronic illnesses are likewise underserved, as mobility, lack of guardianship, and language barriers hinder continuity of care.

The forthcoming implementation of the EU Pact on Asylum and Migration, adopted in 2024, introduces new border-screening and accelerated asylum procedures that, while aimed at efficiency, may heighten risks for unaccompanied children if adequate safeguards are not ensured. As EU Member States operationalize these measures, Serbia, positioned on the external route, may experience increased transit pressure and secondary movements. Without stronger regional cooperation on child-sensitive screening, referral, and family reunification, there is a risk that children will face even longer periods of uncertainty and exposure to harm. Aligning Serbia’s national procedures with the Pact’s protection components, including child-specific vulnerability assessments and monitoring mechanisms, will therefore be essential.

4.6 Regional Context and Implications

The situation of unaccompanied and separated children in Serbia cannot be understood in isolation from the regional protection landscape. The Western Balkan route remains a key corridor for mixed migration, shaped by restrictive European border policies and uneven implementation of child-protection standards across the region. Serbia’s location between EU

and non-EU states positions it as both a transit and containment space, where European migration management intersects with national protection obligations.

Across neighbouring countries, Bosnia and Herzegovina, North Macedonia, Montenegro, and EU Member States, including Bulgaria, Croatia, Hungary, and Romania, protection monitoring by international organizations and civil-society networks reveals similar patterns: repeated pushbacks, summary expulsions, and limited access to asylum for children. These practices contravene the principle of non-refoulement and the procedural guarantees under the 1951 Refugee Convention, the EU Charter of Fundamental Rights, and Article 22 of the CRC, which obliges States to ensure appropriate protection and humanitarian assistance to refugee children. Serbia's data mirror these regional trends, suggesting a systemic failure to implement child-sensitive border management across the route.

Instead of shared responsibility, states along the Western Balkan route often engage in policy deflection, whereby each national system prioritizes rapid transfer or return of migrants to its neighbour. This results in children being moved repeatedly between jurisdictions without assessment of their best interests or referral to durable solutions. Coordination between Serbia and EU Member States remains largely ad hoc, dependent on bilateral police cooperation rather than protection frameworks. Existing regional mechanisms, such as the Western Balkans Process or the Sarajevo Declaration, have yet to translate into operational cross-border child-protection procedures.

The adoption of the EU Pact on Asylum and Migration in 2024 will reshape border governance across the region. While the Pact's objectives include harmonized screening, expedited asylum decisions, and improved returns, its implementation risks entrenching a security-first approach if adequate safeguards for children are not integrated. The introduction of border screening procedures at external frontiers, including neighbouring transit zones, may lead to longer periods of de facto detention for children if child-specific guarantees are not strictly applied. For Serbia, which cooperates closely with Frontex and EU agencies, this could translate into heightened pressure to control movement without corresponding expansion of protection capacity.

Conversely, the Pact also offers potential opportunities. Its emphasis on solidarity mechanisms, vulnerability assessment, and child-specific procedural guarantees could encourage more structured cooperation between Serbia, EU Member States, and regional actors. Alignment with the Pact's protection-oriented components, particularly systematic identification of unaccompanied children at borders, standardized best-interests procedures, and improved data-sharing, would strengthen Serbia's role as a responsible protection partner rather than merely a transit state.

To fulfil its international and EU-approximation obligations, Serbia will need to deepen coordination with neighbouring countries through formalized referral pathways, interoperable data systems, and joint case-management protocols. Regional frameworks such as the EU–Western Balkans Partnership on Migration and Security and the South-East Europe Child Protection Platform provide entry points for harmonizing standards. Greater engagement of the OSCE, UNHCR, and IOM in facilitating cross-border protection dialogues would also help shift regional dynamics from containment to cooperation.

The persistence of violations across the Western Balkan route underscores that protection gaps are structural, not situational. Strengthening Serbia's institutional capacity, ensuring alignment

with EU law, and embedding child-protection standards into all migration-management measures are essential steps toward compliance with international norms. As EU Member States operationalize the new Pact, Serbia's proactive adaptation, through reinforced guardianship systems, safe accommodation, and psychosocial care, will be critical to safeguarding children's rights and mitigating the regional spill-over effects of more restrictive European border policies.

5. Conclusions

The findings from protection monitoring conducted between March and September 2025 demonstrate that unaccompanied and separated children in Serbia remain in a highly precarious protection environment shaped by regional migration dynamics, systemic underimplementation of child-protection standards, and persistent gaps between law and practice. The data reveal that, while Serbia's legal and policy framework is substantially aligned with international and European obligations, its operationalization continues to depend on fragmented institutional coordination and external humanitarian assistance.

Across all thematic areas, the evidence points to a structural pattern of vulnerability rather than isolated incidents of neglect. Most children arriving in or transiting through Serbia have already endured severe violence, deprivation, or exploitation along the route. For them, protection in Serbia should constitute a point of stabilization and recovery. However, the monitoring results indicate that the response system often fails to deliver this transition. Gaps in identification, documentation, and referral mean that many children remain outside formal care structures, while others encounter institutions unprepared to address their complex needs.

The persistence of pushbacks, unlawful detention, and violence across the Western Balkans underscores that the challenges Serbia faces are not confined to its borders but embedded in a regional migration regime that prioritizes control over protection. This context heightens Serbia's responsibility to provide redress and rehabilitation to children who have suffered violations elsewhere, consistent with its obligations under the **CRC**, the **1951 Refugee Convention**, and the **ECHR**.

Domestically, the **Law on Asylum and Temporary Protection**, **Law on Social Protection**, and **Family Law** provide a robust normative foundation, but implementation remains inconsistent. Guardianship is often delayed or superficial; inter-agency coordination among the Commissariat for Refugees and Migration, Social Welfare Centers, and border authorities is ad hoc; and the absence of unified data-sharing mechanisms prevents continuity of care. In many cases, NGOs remain the only consistent actors delivering information, legal counselling, and psychosocial assistance, essential services that should be state-led and sustainably financed.

The findings also point to profound psychosocial consequences for children who have spent months or years in transit. Many experience chronic anxiety, social withdrawal, and feelings of hopelessness resulting from cumulative trauma, unstable living conditions, and the absence of predictable adult care. These manifestations of distress reflect systemic shortcomings rather than individual pathology. Serbia has a positive duty to protect the child from all forms of physical and mental violence and facilitate the physical and psychological recovery of children affected

by violence, exploitation, or neglect,⁷⁴ a duty that must be interpreted expansively to include those arriving from abroad.

At the regional level, Serbia's experience reflects a wider structural gap in the Western Balkans: the absence of harmonized, child-sensitive procedures for cross-border referral, guardianship, and durable solutions. The forthcoming implementation of the **EU Pact on Migration and Asylum** may further amplify these challenges if border screening and accelerated asylum procedures are not accompanied by explicit child-protection safeguards. Serbia's continued approximation to EU standards therefore requires not only legislative alignment but also demonstrated capacity to ensure the best interests of the child in every procedural stage – from identification and registration to long-term integration.

Ultimately, the conclusions of this monitoring period point to a dual reality. On paper, Serbia's protection framework is one of the most comprehensive in the region; in practice, unaccompanied children continue to navigate a landscape of uncertainty, dependence, and institutional fatigue. Sustainable progress will depend on transforming formal commitments into operational standards, through investment in guardianship systems, integrated service delivery, professional capacity-building, and predictable funding for state-led protection.

The monitoring findings thus reaffirm that **the effectiveness of child protection is measured not by the existence of law, but by the lived experience of children themselves**. Bridging this gap between law and life remains the defining challenge for Serbia and its partners in the years ahead.

6. Recommendations

To State Authorities

- **Ensure early identification and registration** of all unaccompanied and separated children at entry and transit points, regardless of documentation or intent to seek asylum.
- **Guarantee immediate appointment of guardians** and introduce a centralized guardianship register to ensure accountability and workload transparency.
- **Adopt and operationalize a national coordination protocol** between the CRM, SWCs, police, and NGOs, including standard referral forms and shared data systems.
- **Integrate child-sensitive procedures** into border, police, and asylum practices through mandatory training on trauma-informed interviewing and the best-interests principle.
- **Strengthen access to education** by enforcing Family Law and education-system provisions guaranteeing school enrollment regardless of legal status; expand Serbian-language and bridging programs.
- **Strengthen access to health** by ensuring that all children on the territory of Serbia, regardless of status, have access to adequate healthcare in accordance with the States obligations under the CRC and ICESCR.
- **Mainstream mental-health and psychosocial support (MHPSS)** into the public health system, ensuring mobile and multilingual service delivery.
- **Provide sustainable public funding** for legal aid, translation, and social-work outreach instead of reliance on donor projects.

⁷⁴ Convention on the Rights of the Child, note 26, Articles 19 and 39.

- **Enhance independent oversight and complaint mechanisms**, including a confidential child-friendly channel to the Protector of Citizens (Ombudsperson).

To EU Institutions and International Partners

- **Ensure that all actions under the EU Pact are guided by the best interests of the child**, providing all unaccompanied children with access to territory, regardless of documentation, and ensure that they have access to asylum procedures, with child-friendly processes that prioritise their safety and well-being.
- **Invest financial and human resources to implement procedural safeguards for unaccompanied children**, such as standardised procedures for the assessment of the best interests of the child, the swift appointment of a representative, access to free legal counseling, interpretation, and child-friendly provision of information.
- **Explicitly prohibit the immigration detention of children, including de facto detention during screening**. Invest in safe, age-appropriate accommodation options that provide a supportive environment for unaccompanied children, **including access to education, healthcare, and psychological support**.
- **Establish institutionally and functionally independent monitoring mechanisms that oversee the treatment of unaccompanied children during border controls**, including at unofficial crossings, reception centres and during the asylum and return process.
- **Guarantee and reinforce zero tolerance for all forms of discrimination, racism and violence against children**. Ensure effective investigation of complaints and access to justice to children who have suffered violence, including, where appropriate, criminal prosecution of alleged perpetrators and restitution for victims.

To Humanitarian and Civil-Society Actors

- **Continue frontline outreach** to identify unregistered children and provide immediate protection, while systematically referring cases to state institutions.
- **Standardize case-management and referral tools** across organizations to improve data consistency and accountability.
- **Advocate collectively** for national adoption of child-sensitive asylum and guardianship procedures and for investigation of border-related abuses.
- **Expand peer-support and participation initiatives** enabling children to inform program design and policy advocacy.
- **Document and disseminate evidence** of systemic gaps and good practices to influence national and EU-level policymaking.



Contact Us

International Rescue Committee Serbia

Bulevar Despota Stefana 11
Belgrade, Serbia

Senior Program Officer –
Protection and Advocacy
Vlada Šahović
vlada.sahovic@rescue.org

The International Rescue Committee (IRC) helps people whose lives have been shattered by conflict and disaster to survive, recover and rebuild.

Founded in 1933 at the call of Albert Einstein, we now work in over 40 crisis-affected countries as well as communities throughout Europe and the Americas.

Ingenuity, fortitude and optimism remain at the heart of who we are. We deliver lasting impact by providing health care, helping children learn, and empowering individuals and communities to become self-reliant, always with a focus on the unique needs of women and girls.