

MODS

FOR EQUALITY OF EVERY SINGLE CHILD

The Network of Organizations for Children of Serbia –
Program Document for Social Inclusion and Inequality Reduction

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ABOUT OUR PROGRAM – EQUALITY FOR EVERY SINGLE CHILD

The Network of Organizations for Children of Serbia (MODS))¹ is committed to reducing poverty, social exclusion and inequalities in our society. Children² and their prospects for quality and dignified life are especially affected by poverty³ and growing inequality⁴. For these reasons, we need a new social policy that will primarily combat poverty and inequalities in society and be compliant with the UN goals of sustainable development⁵.

Starting from the need for **a new social policy**, the Network of Organizations for Children of Serbia has developed and adopted this **program document** as our contribution to its development and creation on the principles of solidarity, equality and social inclusion.

This document includes general objectives, principles and recommendations on which **social and educational policy reforms** should be based and harmonized with, to ensure **equality for each child**. It consists of three parts:

1. CHANCES FOR NEW PUBLIC POLICIES – an overview of public policies whose adoption or changes should ensure social inclusion and reduction of poverty and inequality between children;
2. REDUCTION OF INEQUALITIES – recommendations in the field of social protection for providing **adequate financial and material assistance** (without any conditioning which can lead to abuse and exploitation) and for the **development and financing of social protection services and programs** to support families with children;
3. EDUCATION FOR INCLUSIVE SOCIETY AND EQUALITY – a proposal for systematic approach measures that would result in the elimination of inequalities between children in the education system, greater investment in early development and support to children in a weaker socioeconomic status, especially to children who need additional support in education.

¹ The Network of Organizations for Children of Serbia – MODS is a union of associations that consists of 101 member organizations which deal with the protection and promotion of the rights of the child in Serbia. www.zadecu.org

² The results of PISA research show that there are twice as many functionally illiterate children in families which are among the 20% of the population with the lowest socioeconomic status as in the 20% of the richest families. The poorest parents' children lag behind their peers whose parents belong to higher social strata, which indicates that the educational system does not diminish the consequences of socioeconomic inequalities.

http://www1.worldbank.org/poverty/visualizeinequality/PISA/cov_gaps.html

³ Approximately half a million people do not have enough money to cover basic living needs. According to the Statistical Office of the European Union – Eurostat, 38.5% of the population of the Republic of Serbia (2.7 million) are exposed to risk of poverty or social exclusion (these people are either at risk of poverty, or severely financially deprived, or they live in households of very low intensity labor) – source [Eurostat](#) for 2016, accessed on February 18, 2019. This figure is significantly higher than the average of the 28 EU countries (23.5%). Compared to other age ranges, children (under the age of 18) are at the greatest risk of poverty (30.2%) – source [Eurostat](#) for 2016, accessed on February 18, 2019.

⁴ Income inequality in the Republic of Serbia is very high according to the quintile ratio (S80/S20) and Gini coefficient. According to Eurostat data, the inequality of income distribution (the quintile ratio) for 2016 was 11, which means that 20% of the richest population in the Republic of Serbia had eleven times higher income compared to 20% of the poorest – source [Eurostat](#) for 2016, accessed on February 18, 2019. This metric's value is significantly higher than the average of EU 28, which was just 5.2, but also higher than the highest values recorded in Bulgaria (7.7), Romania (7.2) and Lithuania (7.1). Gini coefficient, according to revenues, was 39.8 in the Republic of Serbia based on [Eurostat](#) data for 2016, which is significantly higher than the average of 28 EU countries (30.8) and the approximate value was only recorded in Bulgaria (37.7) – source [Eurostat](#) for 2016, accessed on February 18, 2019.

⁵ <http://www.ciljeviodrzivograzvoja.net/un-ciljevi-odrzivog-razvoja/>

1 CHANCES FOR NEW PUBLIC POLICIES

We want our children to live in a society that is inclusive, where there is equality and solidarity, where the weaker and the poorer are protected from violence and exploitation. We expect policies and laws relating to children to be developed on these principles, with their full participation and respect of their voice.

Currently, our country has no comprehensive umbrella policy towards children, with a concrete and measurable plan of steps and activities in line with the highest international standards established in this area. It is necessary to develop a **strategic plan** with an accompanying **action plan for children** that will pay special attention to reducing inequalities between different groups of children and be directed to solving numerous problems that stand in the way of exercising the rights of every child – the right to life, growth, development, play, education, without discrimination, segregation and violence. The strategic plan for children should be created in a wide consultation process involving civil society organizations, general public, and children themselves.

We expect the development of the **Social Protection Development Strategy** and amendments to the **Law on Social Protection, the Law on Financial Support to the Family with Children** to be based on the full respect of the right to protection against exploitation and on the measures that will fundamentally contribute to protecting the rights of the child and preventing social exclusion.

It is necessary to adopt a comprehensive **Law on the Rights of the Child**, which would, among other things, more precisely regulate the rights of the child in alternative care and which would set special protection measures for children without parental care. It is necessary to amend the **Law on the Pupil and Student Standards**⁶ which will provide scholarships for pupils with poor socioeconomic status.

The country needs to ratify the **Third Optional Protocol on Communication Procedures to the Convention on the Rights of the Child** and the **Optional Protocol to the International Covenant on Economic, Social and Cultural Rights**. These are **additional mechanisms for the protection of the rights of the child**, that is, economic and social rights **before international institutions**. We expect the country to show full commitment to **the achievement of the UN goals of sustainable development**, particularly in the area of promoting and implementing these goals at the local level.

It is necessary to conduct a comprehensive assessment of public expenditures targeting children, to determine how and to what extent budgetary resources are allocated to fulfillment of the rights of the child, to monitor adequacy and fairness of the allocation of funds earmarked for the rights of the child, and to increase budgetary allocations for social sectors, especially in the field of education and social protection.

When designing public policies relating to children, children and representatives of civil society organizations representing children's rights need to be substantially and equally included.

⁶ "Official Gazette of the RS," Nos. 18/2010, 55/2013 and 27/2018

2 REDUCTION OF INEQUALITY

The country needs to ensure the protection of children and parents living in poverty, respecting the principle of protection against violence and exploitation, ensuring their economic security and independence. Social policy changes should aim towards providing **adequate financial and material assistance** that would not be conditioned in a manner that endangers rights and dignity of citizens and would not lead to their exploitation and abuse (Regulation on measures of social inclusion of the beneficiaries of financial assistance); **development and financing of social protection services** that would support the independence and autonomy of the most vulnerable social groups and children, and provide long-term care of children with disabilities in a non-institutional environment.

2.1 Adequate financial and material assistance

2.1.1 Financial social assistance

It is necessary to remove the time limit for receiving **financial social assistance**⁷ set so that a person able to work, or a family in which the majority of members are able to work, is entitled to social welfare for up to nine months during the calendar year. A break in the provision of financial social assistance leaves individuals at risk of falling into deeper poverty and can result in increasing the informal or illegal work.

Regarding the time limit, it should also be noted that **the European Committee for Social Rights**⁸ concluded that Bulgaria **violated the provisions of the Revised European Social Charter**⁹ regarding the right to social protection by amending the Social Protection Act and setting the financial assistance termination after 18, 12 or 6 months for the unemployed who are able to work. Balancing missed earnings and the Center for Social Work discretionary power to balance missed earnings needs to be abolished in order to prevent the social work centers' arbitrary demeanor and to prevent certain individuals from being denied the right to **financial social assistance**.

Beneficiaries of the financial social assistance should also include people without personal documents or the evidence of permanent or temporary residence, having in mind the position of

⁷ The level of inequality also depends on the ability of tax and social policies to reduce inequalities within the available income. Serbia allocates very little funds to **two main social benefits targeting the poor – financial social assistance and child allowance** – only 0.6% of GDP, while the average spend on similar benefits in the EU is 1.1% of GDP (Clavet et al., 2017). At the same time, the income tax and social contributions (which are also a type of tax) are greater in a minimum wage than in a wage that is several times greater than the average salary. In other words, the progressivity of income taxation is extremely small (Randelović and Žarković Rakić, 2013; Žarković Rakić, 2015). – Dohodna nejednakost u Srbiji: Od podataka do politike (Income inequality in Serbia: From data to politics), Mihail Arandarenko, Gorana Krstić and Jelena Žarković Rakić, Friedrich-Ebert-Stiftung, Belgrade, 2017.

⁸ [European Committee of Social Rights decision in Collective Complaint No. 48/2008](#)

⁹ [Revised European Social Charter](#)

legally invisible people who cannot exercise their right to financial support without the documents, regardless of the level of social vulnerability they are in.

2.1.2 Right to the allowance for assistance and care of another person

NORBS – National Organization for Rare Diseases of Serbia, MODS – the Network of Organizations for Children of Serbia, SUPS – Association of Patients of Serbia and Association Hrabriša are signatories to the initiative for assessing the constitutionality of Article 12, paragraph 7 of the Law on Financial Support to the Family with Children. The controversial provision of the Law on Financial Support to the Family with Children results in parents of children younger than five with special and serious psychophysical disabilities having to choose between the absence from work in order to take care of the child (and the corresponding salary compensation due to that absence) and the right to allowance for the help and care of another person. Without any justification, this legal provision causes interdependence and exclusion of those two rights that exist separately and independently from each other. In relation to this Law, the issue of the current solution regarding the exercise of the right to leave from work to care for the child – maternity leave, has also been escalated.

On December 8, 2018 the Constitutional Court issued a Decision No IUz-226/2017 to open a procedure of determining the unconstitutionality of the provision of Article 12, paragraph 7 of the Law on Financial Support to the Family with Children.

We urge the Government to completely abolish the controversial provision in order to stop the application of this measure that directly affects parents who fight for the dignified and quality life of their children on a daily basis.

2.1.3 A simpler procedure for exercising rights

The right to various types of material support is implemented to ensure existential minimum and support the social inclusion of beneficiaries. The Law on Social Protection should be synchronized with the Law on General Administrative Procedures¹⁰ according to which authorities are required to have insight into the data about the facts necessary for decision making. They should obtain and process necessary data ex officio, in accordance with the law, and based on official records. Accordingly, when deciding on the right to material and financial assistance, the Center for Social Welfare should be obliged to **obtain and process data from available records, registries maintained by the state bodies, territorial autonomy bodies, local self-government units and holders of public offices in accordance with particular regulations and ex officio.**

This would simplify the proceedings for the exercise of rights for beneficiaries and reduce the risk of failure to exercise the right to social protection by people unable to provide existential minimum due to complicated administrative procedures.

¹⁰ “Official Gazette of the RS,” No. 18/2010

2.2 Development of appropriate social protection services and programs and the process of de-institutionalization

Conditions for the realization of the right of every child to live in a family are necessary as one of the fundamental rights. In order to support this right in the best interest of the child, an adequate and timely support is necessary for the family to be a place good enough for the growth and development of the child. What needs to be changed is **the approach**, that is, the paradigm on which the work on the realization of the child's right to live in the family is based. It is necessary to **improve the normative framework** and **strengthen the capacities of associates** in the social protection system.

The accommodation of children under three in social welfare institutions needs to be banned entirely and with no exceptions. It is also necessary to limit the accommodation capacities of the existing social welfare institutions.

It is necessary to support the shift of the focus of the social protection system from restrictive measures to family support by developing the continuum of services to families with numerous and complex needs, from preventive to very intensive services.

A de-institutionalization strategy needs to be developed in Serbia which would include the development of community services, the transformation of institutions for children's accommodation and more efficient monitoring of child right violations in institutions as its strategic directions. Along with the development of community services, the transformation of residential institutions needs to be carried out. In that sense, it is necessary to **develop plans for the transformation of children's accommodation institutions and to more effectively monitor the violation of the rights of the child in institutions.**

The Law on Social Protection should explicitly identify family support measures, especially for families in crisis that are at risk of relocating a child from the family, as well as support and preparation for the return of the child to their primary family.

It is equally **essential to insist on the faster return of the child to the family**, as well as on the prevention of relocation.

The Law on Social Protection should clearly identify preventive support services and so-called "outreach" services, which can enable early identification of needs and problems. Better coordination of all services at the local level is necessary, as well as more effective and efficient protection of children against domestic violence. It is also necessary to work with parents on changing attitudes and improving their parental competencies.

The establishment of an intensive family support service group and the implementation of social-educational and counseling-therapeutic programs should be enabled. The intensive family support services should be financed from the national budget.

2.3 Financing social protection services and programs

- Improve the dedicated transfer mechanism – allocate a fixed part of resources to support services for families with children
- Local self-government units (municipalities, cities, and city of Belgrade) should plan a mandatory part of the budget for providing support services to families with children.

Local self-government units should develop a comprehensive system of support for children and families, a minimum package of services that would include:

- Early detection of difficulties and problems in children;
- Early intervention as support to families with children;
- Provide counseling and support to parents and future parents (through prenatal programs); timely and accurate information on the rights that parents and children can exercise;
- The development of services that would enable permanent, timely and adequate support for families with children with developmental difficulties (counseling, psychological support, information on the rights they can exercise);
- The availability of services and programs for children who are in conflict with the law or at risk of developing behavioral problems aiming at overcoming their problems and their inclusion in the local community;
- Development of programs for the protection of children against violence;
- Support services for young people from alternative care in the process of becoming independent and finding employment;
- Social-educational and psycho-educational programs and services that would support social inclusion and education based on inclusive principles.

3 EDUCATION FOR INCLUSIVE SOCIETY AND EQUALITY

3.1 The educational system for the equality of all children

The present-day education system in Serbia does not diminish the consequences of socio-economic inequalities and does not enable social mobility. The chances of a young person whose parents' education is only elementary to enroll in a high school or college and have the opportunity for a better-paid job and a decent salary are small.

Inequality is reproduced through the education system. PISA research results in Serbia show that there are twice as many functionally illiterate children in families which are among the 20% of the population with the lowest socioeconomic status as in 20% of the richest families.

We expect the education system reform that would contribute to reducing inequalities between children, reducing the expanding gap among children of different socioeconomic statuses, ensuring equal quality education based on inclusive principles for every child.¹¹

We believe that:

- A systemic approach and greater investment in the early development of children is needed.
- It is necessary to increase the coverage of children younger than 5 by pre-school education, especially the most impoverished children.
- Children from socially vulnerable groups should be provided with a free stay in pre-school institutions (from youngest groups¹² to older groups in kindergarten).
- It is necessary to provide funding for additional support measures for students.
- It is necessary to work on the prevention and eradication of discrimination against children from vulnerable groups (Roma children, children with disabilities, etc.) and segregation in education.
- Secondary education should be made mandatory and accessible to every child.
- It is necessary to enable scholarships for pupils and students with low socioeconomic status.
- State higher education must remain free of charge.

¹¹ [COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES General Comment No 4, Article 24: Right to inclusive education](#) (Adopted on August 26, 2016)

¹² The coverage of children aged 6 months to 3 years by pre-school education and education is extremely low anyway and amounts to only 27.6%, with the coverage being deeply unjust as the children with the greatest need for support are the least involved. The ["Rulebook on Detailed Conditions for Determining Priorities for Enrolling Children in Preschool Institutions"](#) states that an institution gives priority to children from socially vulnerable groups "in accordance with its capabilities", but almost all institutions, especially in larger cities, have groups that are overpopulated with children, and there is no room for enrolling children from the categories above, which affects early stimulation, prevention and intervention with respect to children younger than 3. <http://www.mpn.gov.rs/wp-content/uploads/2018/08/AP-SROS-IZVESTAJ-15jun.pdf>

3.2 Free education

The high risk of poverty¹³ and inequality is also contributed by the cost of education that should be free and available to every child without exception. Families with school or college children are at greater risk of poverty and are less likely to meet their most basic needs.

The price of a set of textbooks especially contributes to the cost of education. It ranges from 15,000 to almost 20,000 dinars for higher primary school grades (fifth to eighth) while the minimum salary ranges from 25,000 to 28,000¹⁴ dinars. Children, especially at a younger age, literally bend under the weight of school bags, while parents struggle to find a way to cover all education expenses, including excursions, extra-curricular activities, snacks, clothing and footwear. The current situation with the costs of education is increasingly difficult for parents in Serbia and directly affects the quality of life of families and children.

Taking total costs of a child's education into account, especially for textbooks, it may be time to consider new, innovative solutions that would reduce financial pressure on parents. Purchasing a device, such as a tablet for each student with access to teaching content, could be a sustainable solution that would enable genuine free education for every child, with increasing digital literacy and also reducing the gap between children of different socioeconomic status.

Therefore, we suggest taking measures to abolish the costs of education, considering innovative technological solutions that would make education free, fair, accessible to all children, and reduce inequality among children.

¹³Individuals living in households with dependent children (40.8%), or households with two adults with three or more dependent children (53.1%), were at the greatest risk of poverty according to Eurostat data for 2016 – source [Eurostat](#), accessed on February 18, 2019.

¹⁴<http://www.socijalnoekonomskisavet.rs/cir/minimalna%20zarada/minimalna%20zarada.html> – accessed on February 18, 2019.