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ENVIRONMENTAL POLICIES IN SERBIA AND THE VIOLATION OF THE RIGHTS OF THE CHILD***

Several aspects of the rights of the child depend on environment quality and conservation. Therefore, the breach of environmental provisions may result in the violation of the rights of the child, either through criminal offences against environment, or through long-term application of environmental policies that are harmful for the rights of the child or do not take into consideration the needs and best interest of the child. The authors analyse normative framework of the Republic of Serbia, including ratified international conventions as well as national legislative and strategic documents, pertinent to both children's rights and environmental protection. The authors also analyse the data obtained from relevant reports describing current state of both - environmental and children's rights protection in Serbia. The authors conclude that the rights of the

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child are not given enough attention in documents regulating environmental protection and sustainable development in the Republic of Serbia, particularly when it comes to children from marginalized groups living in substandard settlements.

Key Words: child's rights, environmental protection, international standards, human rights, ecology

1. Introduction

Protection of the rights of the child is closely interrelated with environmental preservation. Namely, the violation of the right of the child to a healthy environment can have devastating and life-threatening consequences (Banić, 2021a: 5). According to the reports of World Health Organization, each year, between 1,7 and 5,9 million deaths of children under the age of five are related to environmental pollution that could have been prevented (Banić, 2021a: 5). For example, air pollution is the direct cause of 570.000 deaths of children under the age of five due to respiratory infections such as pneumonia (Banić, 2021a: 5).

Several aspects of children's rights depend on environmental quality, including: the right to life, the right to development, the right to health, the right to adequate standard of living and the right to a clean, healthy and sustainable environment, as well as the right to health and the right to non-discrimination, as highlighted in General Comment No. 26 (2023) on children's rights and the environment with a special focus on climate change. This dependence of children's rights on environmental conditions implies that the violation of environmental protection provisions may result in the violation of the rights of the child. In some cases, the link between environmental harm and the violation of human rights (including the rights of the child) is explicit, whereas in others it may be indirect and hardly visible, which is the reason why environmental criminal offences are frequently referred to as "victimless crimes" (Batrićević, 2013: 113-132; Marinković, 2015: 219).

Violation of the rights of the child through the breach of environmental provisions occur not only through criminal offences against environment, but also through long-term application of environmental policies that are harmful for children's rights or do not take into consideration the needs and the best interest of the child. The impact of environmental harm on victim's health and well-being may sometimes be difficult to prove in the cases of environmental criminal offences, but the situation is even more complicated if negative environmental consequences affecting children are detected but still not estimated as sufficiently serious to be treated as criminal offences (or misdemeanours). The fact that these

cases of negative environmental impacts are not considered criminal offences (or misdemeanours) means that there will be no state reaction to them.

2. Theoretical Background

In this paper, the rights of the child and environmental protection are defined in accordance with relevant international legal documents ratified by the Republic of Serbia, as well as in lieu of the Constitution of the Republic of Serbia and national legislation regulating the protection of the rights of the child, on the one hand and environmental protection, on the other. National strategic documents of the Republic of Serbia, from which the conclusions about public policies in the field of the protection of the rights of the child and environmental conservation are drawn, are also analysed in this paper. Moreover, the findings from the reports of relevant international bodies pertinent to both – the rights of the child and environmental protection in Serbia and in the Western Balkans as well as reports and findings of relevant national state bodies are also discussed in this paper.

The term "*child*" is defined in accordance with both - relevant international legal sources, and national legislation of the Republic of Serbia. According to Article 1 of UN Convention on the Rights of the Child¹ (hereinafter: CRC), the term "*child*" refers to "*every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier*" (Article 1, CRC). According to Family Law of the Republic of Serbia² (hereinafter: FL), adulthood is obtained at the age of eighteen (Article 11, Paragraph 1, FL), which is in harmony with CRC.

CRC proclaims four general guiding principles that are underpinning the rights of the child: 1) the principle of non-discrimination, 2) the principle of the best interest of the child, 3) the principle of life, survival and development and 4) the principle of inclusion and participation. These principles have to be taken into consideration in the process of interpretation and implementation of CRC in all spheres of a child's life, including those that are related to or depend on environmental conservation and protection.

In Article 3 of CRC, it is declared that "*in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child*

1 Convention on the Rights of the Child, opened for signature 20 November 1989, 1577 UNTS 3 (entered into force 2 September 1990). See also: Law on Ratification of the United Nations Convention on Child's Rights, Official Gazette of SFRY – International Agreements, No. 15/1990 and Official Gazette of SFRY – International Agreements, No. 4/1996 and 2/1997.

2 Family Law, Official Gazette of the Republic of Serbia, No. 18/2005, 72/2011 and 6/2015.

shall be a primary consideration" (Article 3, Paragraph 1, CRC). Consequently, CRC obliges States Parties to "*undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her*" as well as to "*take all appropriate legislative and administrative measures*" for that purpose (Article 3, Paragraph 2, CRC). CRC also obliges States Parties to apply "*all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention*", emphasising that the Parties to the Convention should implement these measures "*to the maximum extent of their available resources and, where needed, within the framework of international cooperation*" (Article 4, CRC).

The concept of the rights of the child and the best interest of the child is applied in national legislation of the Republic of Serbia in accordance with the principles declared by CRC, even though there are still some practical issues that need to be improved (compare: Petrović *et al.*, 2015 25). First, the Constitution of the Republic of Serbia³ (hereinafter: CRS) proclaims that children have all human rights in accordance with their age and maturity (Article 64, Paragraph 1, CRS). CRS also declares that children have to be protected from psychological, physical, economic and any other form of abuse (Article 64, Paragraph 3, CRS). Finally, CRS prescribes that the rights of the child and the protection of children are regulated by the law, which, in this case is the aforementioned FL.

Accordingly, FL obliges everyone to take into consideration the best interest of the child in all activities that are related to children (Article 6, Paragraph 1, FL). The same provision declares that the state has the obligation to undertake all necessary measures in order to provide the protection of the child from neglect, physical, sexual and emotional abuse as well as from any form of abuse (Article 6, Paragraph 2, FL). According to the FL, the state also has the duty to respect, protect and improve the rights of the child (Article 6, Paragraph 3, FL). FL is also familiar with the concept of the right of the child to development and proclaims that every child has the right to the best possible living and health conditions for his or her regular and complete development (Article 62, Paragraph 1, FL). The right to education is also guaranteed by FL, highlighting that every child has the right to education in accordance with his or her capabilities, goals, and aspirations (Article 63, Paragraph 1, FL). All these rights are related to the environmental conditions, and cannot be properly enjoyed without a healthy environment, which is further explained in this paper.

3 Constitution of the Republic of Serbia, Official Gazette of the Republic of Serbia, No. 98/2006 and 115/2021.

Several international legal documents have been adopted with the purpose to guarantee the protection of the right to healthy environment (Rakočević, 2014: 45). The Republic of Serbia has ratified most international sources of law relevant to environmental protection and its environmental legislation is predominantly in accordance with international standards in this area. For the purpose of this paper, the term "environment" is defined in accordance with Law on Environmental Protection of the Republic of Serbia⁴ (hereinafter: LEP) (see also: Joldžić, 2019) that considers the environment as the assembly of natural and human-made values whose complex mutual relations create the surrounding, i.e., the space and conditions for life (Article 3, Paragraph 1, Point 1, LEP).

When the definition of the right to a healthy environment is concerned, it is important to mention that the Republic of Serbia proclaims it on the constitutional level. Namely, CRS declares that everyone has the right to a healthy living environment as well as the right to be promptly and completely informed about its condition (Article 74, Paragraph 1, CRS). Moreover, CRS emphasises that everyone is responsible for environmental protection, and particularly the Republic of Serbia and its autonomous province (Article 74, Paragraph 2, CRS). Lastly, CRS also obliges everyone to conserve and improve the environment (Article 74, Paragraph 3, CRS).

3. Methodology

Two methodological approaches are applied in this paper. Normative method is applied for the purpose of interpretation of relevant national and international legislation pertinent to the rights of the child and environmental conservation as well as on strategic documents setting directions and goals for future normative and practical steps in these areas. Qualitative study is applied on relevant reports with the aim to obtain the information about current courses in policies regarding these two areas in the Republic of Serbia as well as to identify key challenges in these fields.

4. Results

4.1. Introductory remarks

The analysis of the information gathered by the methods is aimed at estimating whether the rights of the child are sufficiently taken into consideration in

4 Law on Environmental Protection, Official Gazette of the Republic of Serbia, No. 135/2004, 36/2009, 36/2009, 72/2009, 43/2011, 14/2016, 76/2018, 95/2018 and 95/2018.

relevant legislative, strategic and policy documents dedicated to environmental protection in the Republic of Serbia. These findings are also compared with the data obtained from relevant reports describing the current state of both – environmental protection and the protection of the rights of the child in Serbia. The groups of children that are particularly affected by environmental degradation are identified in accordance with both – legislative and strategic documents on the one hand and reports of relevant stakeholders on the other. At the beginning of the analyses, the groups of children that are particularly affected by environmental degradation are identified and the need for their special protection is pointed out. After that, the rights of the child that are most frequently and most severely violated due to environmental degradation are highlighted, together with the causes of such situation and the focus on the need to improve it. These rights and their violations are viewed from the perspective of General Comment No. 26 (2023) on children’s rights and the environment with a special focus on climate change, which is the latest document providing insight into the area of children’s rights from the aspect of environmental protection or, in other words, “through ecological lens”.

4.2. Children particularly affected by environmental degradation

Public policies of the Republic of Serbia identify several groups of citizens as particularly exposed to the risk of marginalisation and exclusion: persons with disabilities, children, young persons, women, elderly persons, members of Roma national minority, persons without elementary education, unemployed persons, refugees, internally displaced persons, and inhabitants of rural areas (Stevanović, 2013: 93). Furthermore, relevant national strategic documents classify some groups of children as especially vulnerable, particularly in the terms of their health: young persons without parental care, children involved in the life and work on the streets, children living in educational institutions, poor children, children and young persons that are not within in the educational system, young persons in need of special support, internally displaced children and child refugees (Stevanović, 2013: 93; Stevanović, 2014). This means that the Republic of Serbia recognizes that some groups of children and young persons are under health risk, but without emphasising the direct link between health risk of these groups of children and environmental pollution and degradation.

On the other hand, in Part I, point A, paragraph 8 of General Comment No. 26 (2023), it is mentioned that environmental degradation particularly affects the enjoyment of human rights of specific groups of children including: children with

disabilities, indigenous children, and children working in hazardous conditions. Due to specific difficulties that the Roma Population in the Western Balkans are facing when it comes to the right to housing, Roma children are particularly susceptible to negative impacts of environmental harm and should be recognized as such. Namely, according to Best Practices for Roma Integration Regional Report on Housing Legalisation, Settlement Upgrading and Social Housing for Roma in the Western Balkans, published by the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) in 2014 (ODIHR, 2014) "*The housing situation of the great majority of the Roma population in the Western Balkans is characterised by inadequate conditions. They live in substandard shelter that does not meet adequate living standards, as defined by the international community. The most prominent housing problems faced by Roma are their lack of security of tenure, the informal and illegal nature of their settlements, which makes them susceptible to forced evictions, and their substandard housing conditions, which undermine their health, education and (adequate) access to basic services and infrastructure.*"

Also, findings published by several entities (including state bodies and non-governmental organisations) in Serbia, confirm the presence of children who are especially vulnerable to devastating impacts of environmental degradation – children who are not only working but also living in substandard Roma settlements. As it is explained in Best Practices for Roma Integration Regional Report on Housing Legalization, Settlement Upgrading and Social Housing for Roma in the Western Balkans, published by the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) in 2014: "*The location of Roma settlements on the periphery of cities without proper infrastructure to sustain a decent living also contributes to low school attendance and increased school dropout rates among children, as well as poor access to primary health care*" (ODIHR, 2014: 40). In Serbia, these settlements are also predominantly located in the suburbs of larger cities such as: Belgrade, Leskovac, Niš, Novi Sad, Vranje, Požarevac etc., which makes a rather large number of people almost completely isolated from the rest of the inhabitants of these cities. For example, it is estimated that the total number of substandard Roma settlements in Serbia is 702, with altogether 167.975 inhabitants (OHCHR, 2020: 5-6).

In Serbia, similarly to other Western Balkan countries, the inhabitants of substandard settlements mostly have limited access to: safe water, sewerage network, electricity and sustainable sources of income. Their predominant source of income is collecting of secondary raw materials, and they are often exposed to social exclusion, discrimination, marginalization, and increased risk from various health problems, particularly during COVID-19 pandemic (OHCHR, 2020: 5-6). This is confirmed by the aforementioned Best Practices for Roma Integration

Regional Report on Housing Legalization, Settlement Upgrading and Social Housing for Roma in the Western Balkans, published by the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) in 2014, claiming that: *"They (the inhabitants of substandard settlements in the Western Balkans) suffer from specific obstacles that aggravate their housing conditions, such as racism and discrimination, both from public officials and society at large. Burdensome rules, restrictions, and discriminatory practices in the implementation of housing policies, in turn, limit their access to social housing"* (ODIHR, 2014: 15).

A report entitled as Breaking the Cycle of Roma Exclusion in the Western Balkans, published by World Bank Group in 2019 confirms that some efforts have been made to improve the living and working conditions of Roma in substandard settlements, especially in Bosnia and Herzegovina and in Serbia, accentuating that the progress is not yet at the sufficient level (World Bank Group, 2019: 8). The Report says that: *"Many Roma live in slums or informal settlements and experience severe overcrowding; ethnic gaps persist in access to essential services, although there has been progress in some countries. The expansion of access to services, such as electricity, piped water inside the dwelling, connections to public sewerage or wastewater tanks, and waste collection, has been inclusive in Bosnia and Herzegovina and Serbia, but there are still large gaps, and some areas remain underserved. The lack of secure land titling in informal settlements contributes to shortages in housing and services among many marginalized Roma"* (World Bank Group, 2019: 8).

Best Practices for Roma Integration Regional Report on Housing Legalization, Settlement Upgrading and Social Housing for Roma in the Western Balkans, published by the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) in 2014 (ODIHR, 2014) states that: *"In the Western Balkans region, the provision of housing for Roma in isolated locations and in segregated housing compounds has reinforced their social and economic exclusion, and promoted the formation of ghettos"* (ODIHR, 2014: 15).

In the context of the protection of the rights of the child in Serbia, it is important to mention that in its Concluding observations on the combined second and third periodic reports of Serbia (2017), Committee on the Rights of the Child emphasized that in these settlements children do not have access to basic services, including safe drinking water and sanitation, which makes them particularly vulnerable to severe health problems (UN Committee on the Rights of the Child, 2017) Annual Progress Report of the European Commission for Serbia for 2022 confirms that: *"Almost 20% of the population of the Roma settlements that were mapped have no or irregular access to safe drinking water, while over 55 % have no or irregular access to sewer networks, and 14.5 % have no or irregular access*

to electricity. These shortcomings were exacerbated by the COVID-19 pandemic" (European Commission, 2022: 47)

Also, a report entitled as Climate Landscape Analysis and its Impacts on Children in Serbia, published by UNICEF in Serbia in 2021 highlights that: "Despite the fact that children, particularly those who are members of vulnerable groups, have been and will continue to bear the brunt of CE hazards in Serbia, such as air pollution and flooding, the climate change and environmental degradation (CE) agenda in Serbia does not sufficiently address their needs" (UNICEF in Serbia, 2021).

4.3. The Right to Education

Part III Point C, paragraphs 31-38 of General Comment No. 26 (2023), which refers to the right to education, highlights the important role that education has in a child rights-based approach to the environment. However, it should be noted that not all children have equal access to relevant educational resources. This primarily refers to children who live in substandard Roma settlements, who, in some cases leave school at early age, who are often exposed to discrimination at school, and who do not have the possibility to attend distance-learning programs due to the lack of internet access and necessary technological equipment. A report entitled as Breaking the Cycle of Roma Exclusion in the Western Balkans, published by World Bank Group in 2019 states that: "Across the region (the Western Balkans), the coverage of education among Roma is narrow, and ethnic gaps are wide. Though there was some improvement in 2011–17, gaps between Roma and their non-Roma neighbours remain substantial, especially in upper-secondary and tertiary education" (World Bank Group, 2019: 2). The same report highlights that: "The financial costs are a main barrier to enrolment in compulsory school and higher levels of education, but child marriage is also an important barrier among Roma females" (World Bank Group, 2019: 4). Segregation of Roma students in the schools in the Western Balkans still seems to be a problem, and the Report points out that: "Across countries, most Roma students report that they attend integrated schools, although a large share still attend majority Roma schools, possibly signalling lower-quality education in the latter" (World Bank Group, 2019: 4).

The number of Roma attending all levels of education has increased in the last years and fewer Romani children are sent into special schools. However, attendance rates and attainment rates among Romani children are still lower than among their non-Romani peers and segregated schooling for Romani children still exists (World Bank Group, 2019: 4; see also: Batrićević, Kubiček, 2020).

Finally, the importance of adequate environment and housing as a precondition for education is highlighted in Best Practices for Roma Integration Regional Report on Housing Legalization, Settlement Upgrading and Social Housing for Roma in the Western Balkans, published by the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) in 2014, claiming that: "*Having an affordable home provides stability for families and positive 'spin off effects', for instance helping children to achieve better results in school*" (ODIHR, 2014) However, this cannot be achieved without appropriate housing and healthy living conditions.

This problem is also addressed in Serbia Progress Report for 2022, published by the European Commission, highlighting the following facts: "*Roma students in elementary and secondary education continued to receive scholarships through affirmative measures. School drop-out rates remain high, especially for Roma girls, although the multiple indicator cluster surveys (MICS) show a reduction of 7 %. Only 7.4 % of Roma children up to 5 years of age attend preschool. During the COVID-19 pandemic, Roma children, mainly from informal settlements, struggled to take part in online education for lack of access to the technical resources. The transition rate to secondary schools for Roma students is 52.6 %, while the completion rate is 61 % - an increase of 20 %, compared to the previous MICS. Segregation in education needs to be addressed. Roma students are still overrepresented in special schools and classes*" (European Commission, 2022: 47).

4.4. The right to adequate standard of living and the right to a clean, healthy, and sustainable environment

Part III Point D, of General Comment No. 26 (2023) pertaining to adequate standards of living in accordance with Article 27 of CRC emphasizes that children have the right to a standard of living adequate for their physical, mental spiritual, moral and social development. As it has already been mentioned when commenting Part I, point A, paragraph 8 of General Comment No. 26 (2023) (which refers to vulnerable groups of children), it should be noted that children living in substandard Roma settlements in the Western Balkans do not live under adequate standards, especially when it comes to availability of adequate housing drinking water, sanitation, healthy and safe food, protection from diseases, clean, healthy and sustainable environment.

4.5. The right to non-discrimination

In Part III Point G Paragraph 50 of General Comment No. 26 (2023), referring to the right to non-discrimination, several groups of children exposed to the

risk of discrimination are enumerated, including children who are the members of national minorities and children who live and work under hazardous conditions.

All Western Balkans countries seem to be facing the problem of Roma discrimination. According to a publication *The Wall of Antigypsyism – Roma in The Western Balkans*, published by Civil Rights Defenders in 2017: "The discrimination that Roma face in all spheres of life, be it in employment, in access to health care or in education system, is not only interrelated, but mutually reinforced and creates over time a nearly unsurmountable barrier between non-Roma and Roma in terms of participation in the public or political life of a country" (Civil Rights Defenders, 2017: 7). Therefore, it should be highlighted that combating this form of discrimination in the Western Balkans Region is to be one of the most important means to affirm the right of the child to non-discrimination, particularly in the area of education, but in other fields of life as well.

In paragraph 51, also referring to the right to non-discrimination, the states are advised to collect relevant data to identify the impacts that environmental-related harm may have on children, particularly on those children who are most at risk and implement appropriate measures as required. Perhaps it would be useful to suggest a general form or guidelines, according to which these data could be collected, suggesting the state bodies or non-governmental organizations that would oversee collecting such data and creating accessible data basis and the measures that are considered suitable and appropriate for these situations should also be enumerated. The only example given in the Comment (Paragraph 51) is the following: "States should review emergency protocols to include assistance and other support for children with disabilities during climate-related disasters". Apart from children with disabilities, that are mentioned in this example, perhaps some more detailed examples of measures should be given to address children from other groups that have been identified as particularly vulnerable.

4.6. The best interest of the child and precautionary principle in environmental protection

In the Part III Point H Paragraphs 52-55 of General Comment No. 26 (2023), referring to the best interest of the child, it is suggested that the laws, regulations, agreements, policies, standards, and guidelines, plans and strategies budgets, international agreements and development assistance should take into consideration the best interest of the child in the context of making decisions that affect the environment. With that purpose, it is suggested that the states should follow the procedure that ensures that the best interest of the child is given the

appropriate amount of attention and respect. However, the practice in the Republic of Serbia has shown that the general interest to protect the environment from harmful impacts of some activities such as, for example, mining and building mini hydro power plants is not always taken into consideration.

In Part II, point D, paragraph 15 of General Comment No. 26 (2023), referring to precautionary principle, it is emphasized that decision-makers are responsible for assessing whether an activity affecting the environment would be harmful for children. Moreover, the states are expected to develop adequate measures to prevent environmental harm including “*eliminating childhood exposure to pollution and toxic substances...*” Unfortunately, it seems that relevant entities in the Republic of Serbia are not applying appropriate measures to minimize air pollution. Almost 10 years ago, Health and Environment Alliance (HEAL) warned that citizens all over the country breathe in the air that is harmful to health and relevant reports show that for example, concentrations of PM2.5 and PM10 are much higher than what the European Union and the World Health Organization (WHO) consider acceptable (HEAL, 2014).

This trend continued and no efforts have been made to improve the situation. Therefore, Belgrade and other cities in Serbia are often among the most polluted ones in the world, particularly due to PM pollution, which causes severe health problems (including lung cancer, COPD, IHD, stroke, respiratory diseases, cardiovascular diseases, and acute lower respiratory tract disease) affecting not only adults but very small children as well (World Health Organization Regional Office for Europe, 2019: 11). The facts are also relevant to Part III, point B of General Comment No. 26 (2023), referring to the right to the highest attainable standard of health, where environmental pollution is being identified as major threat to children’s health, as explicitly recognized in Article 24 (2) (c) of the CRC.

5. Discussion / Policy Implications

The results of the analysis of international and national legislative and strategic framework on the one side and reports on the situation in the field, on the other, indicate that there are some serious concerns in Serbia regarding the respects of children’s rights that are related to environmental protection. Based upon these findings, it can be assumed that the rights of the child are not given enough attention in documents regulating environmental protection and sustainable development in the Republic of Serbia. This particularly refers to the children from marginalized groups living in substandard settlements.

The findings presented in this paper confirm that children inhabited in substandard Roma settlements are constantly exposed to negative impacts of environmental pollution and the risk of disease, particularly in the context of COVID-19 pandemic, and are deprived of the right to healthy living and working environment and safe and accessible drinking water. Such living conditions represent direct threat to their life, survival and development, which are all mentioned in Part III Point A, of General Comment No. 26 (2023). They are also relevant to Part III, point B paragraph 29 of General Comment No. 26 (2023), referring to the access of children to health care facilities, safe and clean drinking water and sanitation, adequate housing, food and healthy working conditions as well as to Part III Point D of General Comment No. 26 (2023), pertaining to adequate standards of living in accordance with Article 27 of CRC.

These issues have been highlighted in the reports of non-governmental organizations and of the European Commission, but despite their conclusions, no progress has been made in this field. Similar can be concluded for the issue of clean, healthy, and sustainable environment, since it is directly linked to adequate standard of living. Namely, adequate standard of living cannot be achieved in non-hygienic, unhealthy, and unsustainable environment, which is obviously the case in substandard Roma settlements.

The importance of adequate environment and housing as a precondition for education is highlighted in several sources presented in this paper and it can be concluded that, despite some efforts across the Western Balkans Region, there are still some serious concerns regarding the housing and accommodation of Roma children which, consequently, affects the accomplishment of their right to education. In this context, the impact of environmental degradation is indirect, since it represents only a part of the negative impacts they are exposed to, including poverty, lack of access to the internet, distance from schools etc.

It has already been emphasized that all Western Balkans countries appear to be facing the problem of Roma discrimination. However, there seems to be the lack of awareness between the discrimination of Roma children and the violation of their right to healthy living environment. Although they are recognised as particularly vulnerable in relevant strategic documents, the causes of their vulnerability and victimisation from discrimination are not directly linked with their exposure to negative environmental impacts. To be more exact, the fact that Roma children are dwelling in substandard settlements, often segregated from the rest of the city is considered as the violation of the principle of non-discrimination, but it is not sufficiently emphasized that this form of segregation contributes to their exposure to negative environmental impacts. The same refers to children working as secondary raw materials collectors, children that work on landfills etc.

6. Conclusion

Normative framework of the Republic of Serbia regulating the issue of environmental protection is harmonized with international standards, but a series of alterations and amendments is planned for the laws pertinent to the protection of the rights of the child. The most important one refers to the adoption of a comprehensive Law on the Rights of the Child and Ombudsperson for Children, which is still a draft document (Coalition for Monitoring Child Rights, 2022). The adoption of this law would provide a more detailed and comprehensive protection of the rights of the child, including a more efficient mechanism for prevention and reaction to their violations. According to Coalition for Monitoring Child Rights, the adoption of this comprehensive law would contribute to the harmonisation of the entire legal system related to children, better coordination of all sectors involved, and it would facilitate the harmonization of current legislative frameworks in all sectoral laws in line with the solutions contained in that law (Coalition for Monitoring Child Rights, 2022). This emphasis on multisectoral approach to the protection of the rights of the child is of crucial importance since it would enable the positioning of a bridge between the area of children's rights and environmental protection. To be more exact, more intense intersectoral cooperation would include meetings of representatives of different sectors and exchange of information, experiences, and ideas in order to provide for better protection of the rights of the child.

Also, actual policies and practice should be more adjusted to specific needs of children, as a group that is particularly vulnerable and susceptible to environmental impacts. Like the concept of "child friendly justice" there seems to be the need for the introduction of a term "child friendly ecology" in present environmental policies. To be more exact, strategic documents arranging the fields of environmental protection, sustainable development, energetic efficiency, urbanisation, and related areas should have special sections dedicated to the protection of children's rights within their scope of application. For example, they should contain provisions that prescribe special measures designed to provide the protection of the rights of the child in the following contexts: the regulation of the future of substandard settlements, the sustainable development of urban areas and traffic infrastructure (see: Batrićević, Stevanović, 2023), labour conditions in waste management and recycling industry, the prevention of discrimination and segregation of Roma children and the provision of their access to education, including the education in the area of ecology and environmental protection etc.

Another significant measure is the raising of public awareness about the importance of environmental issues in general (Batrićević *et al.*, 2018), and particularly in the context of the protection of the rights of the child. This should be the task

of all relevant institutions, organisations and individuals as their representatives and it should be completed via media, social networks, education, scientific conferences, and other available channels of communication. It is particularly significant to highlight the fact that children should be included in this process of public awareness raising, particularly within the education system and through the content that is adjusted to their age and maturity. Education about the right to a healthy environment, sustainable habits, obtaining accurate information about the condition of the environment are particularly challenging and should be approached with due attention (Banić, 2021b). In this area as well, the cooperation between all sectors involved and a multidisciplinary and intersectoral approach are of substantial importance.

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