

THE ROLE OF LOCAL AUTHORITIES IN EXERCISING AND PROTECTING CHILDREN'S RIGHTS: THE EXPERIENCE OF THE CITY OF KRAGUJEVAC

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Abstract. *As an epicenter of democracy and protection of citizens' rights in the field of local government, local authorities have a primary role in exercising and protecting the rights of children. As local government authorities are the most significant stakeholders in this area at the local level, this paper analyzes the role of the following local government bodies in the context of the City of Kragujevac: the City Administration for Health and Social Care, the Center for Social Care "Solidarnost," and the Ombudsman. The activities of the local authorities are numerous and diverse, and they are significantly aggravated in practice by the imprecise delimitation of their responsibilities from the central authorities. However, these institutions are indispensable regarding the protection of children's rights, providing support to both the child and the family in order to improve and preserve their quality of life, to remove or alleviate the risks of adverse life circumstances, as well as to enable them to become autonomous subjects within the society.*

Key words: *children's rights, the City Administration for Health and Social Care, the Center for Social Care "Solidarnost", the Ombudsman.*

1. INTRODUCTION

Children are the most important potential and the basis for the survival of any society. Childhood sets the basis for the desires, needs, aspirations and needs of an adult. However, the importance of childhood is not only reflected in anticipating his/her future and the effort of enabling a child to grow up into a healthy and responsible person. Childhood should also be considered in terms of the child's present wellbeing, a period in which the child, as any other human being, pursues happiness. When they grow up, children take over the functions of adults, so the progress and success of the society will depend on them. Therefore, the state is interested in raising psychologically, physically and mentally healthy young people.

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Children are extremely sensitive and vulnerable due to their age and their limited mental and physical abilities. Mistreatment, neglect, and emotional problems during childhood leave lasting and far-reaching consequences. The family has a crucial role in the development and formation of the child's personality. However, in some cases, parents, consciously or unconsciously, impose behavior patterns and goals without sufficient evaluation, which often leads to child neglect and even abuse. Apart from that, in many countries, there are hidden or transparent opportunities for abusing and exploiting children, resulting in children's poverty, lack of opportunities for education, and trafficking.¹ These occurrences have given rise to the opinion that a child must be accepted as an independent person who has the *rights of a child*. These are the classic rights that are geared towards the protection and care of children, including the right to live with their biological parents, the right to a personal identity, the right to provide for their basic needs, the right to education and health care, as well as criminal and legal protection (Jašarević, 2013:311).

The main institution that deals with the protection and execution of children's rights is the state. However, an important role is also accorded to the authorities of the local government, specialized social services and institutions, as well as private institutions and organizations.

The purpose of the local government is to provide for meeting the needs of people inhabiting the area of their jurisdiction, thus exercising democracy in the most complete and consistent manner. Citizens benefit from self-government on a local scale, in compliance with the provisions envisaged in the Constitution, legislative acts and bylaws. Local authorities have a primary and paramount role in the exercise and protection of children's rights. Using the example of the City of Kragujevac, the following local authorities will be analyzed as the most important actors in this area: the City Administration for Health and Social Care, the Center for Social Care "Solidarnost", and the Ombudsman.

2. THE CITY ADMINISTRATION FOR HEALTH AND SOCIAL CARE

The Local Self-Government Act stipulates that the city authorities consist of the City Assembly, the Mayor, the City Council, and the City Administration. The city authorities carry out the responsibilities envisioned under this Act in the name of the municipal authorities, and perform other tasks stipulated by law and the City Statute.² The municipal administration is formed as a single body for specific areas. The administration performs the following activities: prepares draft regulations and other documents which are subsequently passed by other municipal authorities; executes decisions and other acts of municipal authorities; acts as the first instance authority in administrative proceedings on matters within the jurisdiction of the municipality; performs administrative supervision over the implementation of regulations and other general acts of the Municipal Assembly; enforces the laws and regulations whose implementation is entrusted to the municipality; and performs professional and other tasks designated by other municipal authorities.³

According to the Local Self-Government Act, the City Administration is no longer a service but an authority, which is consistent with the fact that it performs administrative

¹ "Children's rights", in: B. Mayall (ed.) *Children's Childhood: Observed and Experienced*, London, The Falmer Press, 1994, p. 33

² Articles 65 and 66, The Local Self-Government Act, Official Gazette RS, 129/2007, 83/2014

³ Article 51. The Local Self-Government Act, Official Gazette RS", 129/2007, 83/2014

tasks within the jurisdiction of the city; thus, rather than providing services, it decides on the rights and duties of citizens. (Dimitrijević, Vučetić, Vučković, 2016:247)

The City Administration for Health and Social Care was established by the Decision of the City Administration of Kragujevac.⁴ The City Administration for Health and Social Care is represented by the Head of the City Administration. The following basic and internal organizational units were formed within the City Administration for Health and Social Care:

1. The Department of Social Care for Children
2. The Financial and Accounting Service
3. The Department of Public Health
4. The Group for the Protection of Patients' Rights
5. The Department of Social Welfare
6. The Office for the Protection of War Veterans
7. The Group for the Protection of Refugees, Expelled and Displaced Persons
8. The Department of Financial Affairs⁵

The Department of Social Care for Children carries out the activities pertaining to:

1. Exercising the right to wage compensation during maternity leave, leave from work for childcare, and leave for special child care;
2. Exercising the right to a parental allowance;
3. Exercising the right to a child allowance;
4. Exercising the right to the compensation of the costs of preschool education for children with disabilities;
5. Preparing legislation in the field of children's social care in order to support families with children; and
6. Performing other activities in accordance with the law and decisions of the City Authorities.

Rights and services in the field of social care are aimed at improving the situation of socially vulnerable categories of citizens. These services are provided in the Center for Social Care "Solidarnost" and the Centre for the Development of Social Protection "Knjeginja Ljubica" in accordance with the Social Protection Act⁶ and *the Decision on Social Welfare of the City of Kragujevac*.⁷ These legal acts stipulate the right to a one-time solidarity allowance, the right to the user's placement in an institution or another family, the right of covering the costs of travel expenses and meals for the beneficiaries, the right to the reimbursement of funeral expenses, and the right to a free meal. Services in the field of social protection in the City of Kragujevac include social housing in a supportive environment, supported housing for young people who are becoming independent, and specific types of services that are provided by the marriage and family counseling service.

The procedure for exercising the rights and the provision of services in the field of social protection is initiated at the request of the user, or the legal representative and guardian, as well as *ex officio*. The procedure for exercising the rights and using the services

⁴ The Decision on the City Administration of the City of Kragujevac, The Official Gazette of the City of Kragujevac, 25/15

⁵ Source: http://www.kragujevac.rs/Gradska_uprava_za_zdravstvenu_i_socijalnu_zastitu-439-1, May 2016

⁶ The Social Protection Act, Official Gazette of the Republic of Serbia, 24/11

⁷ The Decision on Social Welfare of the City of Kragujevac, Official Gazette of the City of Kragujevac, 16/11

is carried out by the Centre for Social Welfare under the provisions of the *General Administrative Procedure Act*⁸ and the *Social Protection Act*.

Social care for children includes tasks entrusted by the Ministry of Labor, Employment, Veteran and Social Affairs of the Government of the Republic of Serbia, carried out in accordance with the laws, rules, regulations and instructions relating to financial support for families with children, as well as the original local administration actions based on the decisions of the Assembly of the City of Kragujevac.

The Act on the Financial Support to Families with Children prescribes that the following rights should be financed from the budget of the Republic of Serbia: wage compensation during maternity leave; leave from work for childcare and leave for special childcare; parental allowance; children's allowance; reimbursement of pre-school education costs for children without parental care; and the reimbursement of pre-school education costs for children with disabilities.⁹ The City is in charge of administering the budget.

The Decision on the Financial Support to Families with Children prescribes the following rights: the right to a parental allowance for the first child; the right to a parental allowance for mothers that give birth to twins, triplets and quadruplets; and the right to a parental allowance for unemployed mothers.¹⁰ *The Decision on Financing Day Care for the Third Child* prescribes the right to finance pre-school day care for every third child in the family.¹¹

The rights mentioned above are exercised in accordance with the regulations on the General Administrative Procedure based on a submitted request and the required documentation. The request can be submitted to the Department of Social Care for Children. The deadline for resolving pending applications is 30 to 60 days in accordance with Article 208 of *The General Administrative Procedure Act*.

3. THE CENTER FOR SOCIAL CARE "SOLIDARNOST" IN KRAGUJEVAC

The Center for Social Welfare is practically the basic and most important institution of social welfare since it decides on the rights of users, performs professional activities in the field of social protection and coordinates the work of institutions in its territory (Jašarević, 2013:292). By providing financial, professional, comprehensive, and methodological support, the Center for Social Welfare is indispensable in setting social policy plans. It is the initiator of numerous projects that have contributed to a better life for children, young people, the elderly, and the poor.

The Center for Social Welfare is established for the territory of a municipality, several municipalities, or a town. It is established by the municipality or city, under the conditions prescribed by the Ministry. When the existing centers for social services were established, the criterion was that the center would be established in a municipality if there were more

⁸ The General Administrative Procedure Act, Official Gazette of the Federal Republic of Yugoslavia, 33/97, 31/01 and Official Gazette RS, 30/10

⁹ The Act on the Financial Support to Families with Children, Official Gazette RS, 16/02, 115/05, 107/09

¹⁰ The Decision on the Financial Support to Families with Children, Official Gazette of the City of Kragujevac, 24/13 and 19/14

¹¹ The Decision on Financing Day Care for the Third Child, Official Gazette of the City of Kragujevac, 4/05, 11/06 and 19/14

than 30,000 inhabitants, if the social situation was extremely bad, or if it was necessary due to geographical conditions and difficult communication.

The duties of the Center for Social Welfare are regulated by the *Social Protection Act*. The ministry in charge of social affairs establishes norms and standards for the way in which the Center's duties will be performed in terms of the exercise of public authority.¹²

The Center for Social Care "*Solidarnost*" in Kragujevac was established in 1961, and its mission was to study the social problems in the local community and propose measures to address them. In time, the Center's activities broadened through research, planning, social action, solving social problems of individuals and social groups, gathering other social partners and coordinating their activities, and the creation of new services.

Today, the Center comprises the following organizational units: 1) the Department of the Protection of Children and Young People; 2) the Department of the Protection of Adults and the Elderly; 3) the Department of Legal Affairs with a reception office and an office for financial benefits; 4) the Office of Financial Administrative and Technical Services; 5) the Institution for Children and Young people "*Mladost*"; and 6) the Counselor's Office for Married Couples and Families.¹³

Since its founding, the organization of work in the Center changed, and teamwork was predominant until 2009. The implementation of the new Regulations on the Organization, Norms, and Standards of the Center for Social Welfare introduced a new method of work — case management. Within this method, case leaders (experts) are responsible for specific cases and are also tasked with coordinating and taking measures to protect and support the user, taking advantage of the potential of the Center and other services and resources in the local community.¹⁴

3.1. Services provided by the Centre for Social Care "*Solidarnost*" in Kragujevac

The services provided by the Center for Social Welfare "*Solidarnost*" in Kragujevac are a combination of diverse social protection services that can be classified as follows:

1) Social protection: monetary social assistance; special financial compensation; one-time assistance; allowance for the aid to and care of another person; increased allowance for the aid to and care of another person; accommodation of adults and the elderly (the Geriatric Center); accommodation of adults and the elderly (the Institute for the Care of Adults "*Male Pčelice*"); **2) Family and legal protection:** adoption; foster care; guardianship; measures of protection against family violence; the determination of a personal name; and a certificate of legal capacity; and **3) Advisory, therapeutic and socially educational services:** counseling for married couples and families.

3.2. The beneficiaries of the social protection services

The beneficiaries of these rights and social protection services are individuals and families hindered in meeting their basic needs, for which reason they are unable to achieve or

¹² The Rules on the Organization, Norms and Standards for the Functioning of the Center for Social Welfare, Official Gazette RS, 59/08

¹³ The Center for Social Care "*Solidarnost*" performs activities which are specified by the *Social Protection Act*, the *Family Act*, the *Criminal Act*, the *Act on Juvenile Offenders and the Protection of Juvenile Offenders in Criminal Law*, the *Mediation Act*, the *Misdemeanor Act*, the *Act on Financial Support to Families with Children*, and the *Decision on Social Welfare of the City of Kragujevac*.

¹⁴ Source: http://solidarnost.org.rs/?page_id=36, May 2016

maintain a decent quality of life, either through their own work or through the income generated from their property.

Children and young people (up to the age of 26) are beneficiaries of these services if the circumstances in their family and other life circumstances endanger their health, security, and development, particularly: if they are without parental care or at risk of losing parental care; if their parent, guardian or another person is unable to care for them without the support of the social protection system, due to their health, mental illness, intellectual difficulties or adverse socio-economic circumstances; if they have developmental difficulties (physical, intellectual, mental, sensory, speech-language, socio-emotional, or multiple difficulties), and if their needs for care and material security are beyond the capabilities of their family; if they are in conflict with their parents, guardians and the community; if their behavior endangers themselves and the environment; if they are facing difficulties due to the abuse of alcohol, drugs, and other intoxicants; if they were threatened to become or are victims of abuse, neglect, violence and exploitation; if they are victims of human trafficking; if they are an unaccompanied foreign citizen or stateless person; if their parents challenge the exercise of parental rights, and if there are other requirements for the use of social protection.

3.3. Reform projects aimed at children and families

Since the year 2000 when a new organization of the Ministry of Social Affairs was instituted, including the departments of family legal and social protection, the protection of social welfare beneficiaries in Kragujevac has sustained a number of changes concerning the number and structure of its beneficiaries. A great contributing factor were certainly the general social conditions, the new regulations in the field of social protection and the protection of families, the implementation of new strategic documents, as well as the overall demographic trends. In order to improve the position of its beneficiaries, this period witnessed the Centre carry out more than twenty reform projects in partnership with state and public institutions, and domestic and foreign non-governmental organizations (The Center for Social Care "*Solidarnost*", 2011: 9).

In 2003, the "*Halfway House*" was founded to house six residents, who needed to leave the Center after graduation. The City of Kragujevac passed the Rules that specified the conditions under which young people could stay in the "*Halfway House*": the length of stay, the mode of using the facilities, the termination of services, and the like. Psychosocial support, encouragement and supervision services were provided to these young people on a daily basis in the areas of actively seeking for a job, fostering contact with relatives, and performing everyday duties. During the provision of services in the "*Halfway House*", the conclusion was reached that the process of young people gaining independence would be more efficient if the services were offered outside the House premises. This concept was realized in 2007 when the funds from the National Investment Plan were used to purchase an apartment to accommodate four young people; since 2008, supported housing has been realized exclusively in this space.

Since 2003, the Center for Social Welfare became involved in the Ministry project named "*Strategies for the Development of Foster Care in Serbia*," which is aimed at reducing the number of children in institutions and recruiting new foster families. The project resulted in the recruitment of two groups of 20 foster parents in the region (The Center for Social Care "*Solidarnost*", 2011:15)

The fight against poverty and the allocation of appropriate policies for the reduction of social exclusion of children at first took place during 2003 within the framework of the poverty reduction strategy and the Millennium Development Goals. Based on the analysis of the children's position in the Kragujevac area, the Local Action Plan for Children named "*Kragujevac Fit for Children*" was created and subsequently adopted by the City Assembly. This document linked all social actors and included them in resolving problems of children and young people, thus expressing the willingness of the local government to support the project ideas on improving the situation of different children and youth target groups, opening the doors of many organizations and associations.

In 2006, the Youth Center was opened as a program of the Counseling Services for young people, married couples and families, which was also a priority objective of the Local Plan for Children. Previous experience with the activities of the Youth Center showed that its foundation fully accomplished its purpose. These facilities have multiple benefits for the proper development of young people; apart from providing significant help to young people from disadvantaged families, they contribute to social integration and inclusion, developing solidarity among young people and encouraging tolerance. Various activities carried out at the Centre over the past 5 years ensured a higher level of care for children and young people of Kragujevac.

In 2007, the Club of Young People with Disabilities was founded in the City of Kragujevac. The aim of the Club is to enable young persons with disabilities to socialize and to spend their free time in an organized and constructive way. The Club also organizes daily cultural activities in the fields of sports and entertainment.

In 2008, the City of Kragujevac opened the Shelter for Children and Young People under 18 years of age, which solved the problem of providing urgent care to young people who ended up in the street. This service has a regional character and about 50–60% of the total number of users of this Shelter are young people from other municipalities. In 2015, the maximum number of users per annum was 26.

In late 2009, the Centre started implementing the project "*The Living Room—a Response to the Needs of Children and Young People with Behavioral Problems in Kragujevac*," which was performed in cooperation with the Department of Social Protection of the Republic of Serbia, the city, and the court authorities. One of the main activities within "*the Living Room*" project is counseling, which is realized in groups or on individual basis, depending on the needs of the beneficiaries. The beneficiaries are provided with advisory services, support in overcoming problems in education, support in acquiring new knowledge and skills, and employment mediation services. The most frequent topics in the workshops were selected based on the psychosocial needs and desires of the beneficiaries.¹⁵

The Social Welfare Development Strategy of the City of Kragujevac for 2010–2013 planned to establish a special institution that would be charged with providing and developing social services funded by the City. The Social Protection Act foregrounded the responsibility and role of local authorities in organizing social protection at the local level, which certainly accelerated the implementation of the envisaged goals.

In 2011, the City of Kragujevac passed the Decision on establishing the Center for the Development of Social Protection Services "*Knjeginja Ljubica*." This Center provides the following services: day care for children and young people with disabilities; day care for children from families at risk; day care for children and young people with behavioral

¹⁵ Source: http://solidamost.org.rs/?page_id=18, May 2016

problems; temporary accommodation for children and young people with disabilities; shelter for children and young people; shelter for victims of domestic violence; services of the Youth Center; services of the Club of Young Persons with Disabilities. Until the Center was opened, all of these services were under the authority of the Center for Social Welfare, where these services were originally instituted. By establishing this special institution, the City of Kragujevac has obtained an authorized social service provider within the social protection system, which will be able to plan, develop and provide protection services in a better and more comprehensive way.

Due to the importance of family housing and raising the standards of these services, the Government of the Republic of Serbia passed a decree on establishing regional centers for foster care and adoption. Kragujevac was identified as having the resources for the proper implementation of these services, and a wide network of foster families was established. In early September 2011, the Regional Center for Foster Care and Adoption started operating.

4. THE OMBUDSMAN OF KRAGUJEVAC

The institution of the Ombudsman (the Protector of Citizens) acts as a corrective factor in modern society whose task is to identify illegalities and irregularities in the work of the administration and react to them in accordance with prescribed powers. The Ombudsman controls the government in its daily contact with the citizens, urges the government to improve procedures, accuracy, promptness and diligence, and ensures that the way administrative bodies treat citizens is in line with the main principle of modern democracy — building administration as a service to the citizens.

The powers of the Ombudsman are directly connected with the idea of exercising and protecting human rights, for which reason the Ombudsman is today defined as the Protector of Citizens. The role of the Ombudsman is defined by the Constitution and the applicable law. The Ombudsman continually influences the observance of human rights and liberties through his personal authority and the prestige of the institution he/she represents. Through argumentative power, he/she convinces relevant authorities in the possible existence of some flaw or oversight, the need to correct the drawbacks, and the change in the method of operation.

In Serbia, the institution of the Ombudsman exists at three levels of authority: national, provincial, and local. The jurisdiction of the local Ombudsman is primarily defined and determined by the legal text governing the institution of the local Ombudsman, in conjunction with the general legal acts passed by the government. The institution of the local Ombudsman in our country is governed by the Local Self-Government Act (Article 97), which stipulates that the local government unit may establish the institution of the Ombudsman, which is authorized to monitor the exercising of civil rights, determine violations committed by acts, actions or omissions of the authorities and public services if there was a violation of the regulations and general acts of the local self-government unit.¹⁶

The decentralization of this institution has provided for a greater availability of the Ombudsman when compared to a situation where there was only a centralized body. Being a citizen of the specific local community, the local Ombudsman (citizen protector)

¹⁶ The Local Self-Government Act, Official Gazette RS, 129/07, 83/14

has a better insight into the possible sources and the background of the identified problems, which certainly enables finding adequate solutions (Đorđević, Milenković, 2011).

The Office of the City Civil Defender—Ombudsman in Kragujevac was established in December 2004 as the first office of this kind in Central Serbia. Since its foundation, the Office has been committed to the recognition and promotion of the importance of the institution of the Ombudsman, and it soon became a member of the prestigious European Ombudsman association. The Decision of the City Assembly of Kragujevac in 2008 confirmed the continuity of the institution of the Ombudsman in Kragujevac, and the office was renamed into the "Office of the Ombudsman". Immediately after the Office was founded, it established strong cooperation with the Ombudsman of the Republic of Serbia and the Provincial Ombudsman of Vojvodina. As a result, the National Ombudsman Office granted it the authority to control the protection of civil rights in some national institutions (for example, to control the issuance of identity and travel documents in the Interior Ministry offices in the territory of Šumadija).

The Ombudsman Act established the institution of the Ombudsman for the territory of the City of Kragujevac as an independent and autonomous body, which shall ensure the protection and promotion of human rights and liberties of each individual guaranteed by the Constitution, ratified and published international treaties on human rights, generally accepted rules of international law, and the legal code and regulations of the City of Kragujevac. The Ombudsman is specially tasked with protecting human rights and liberties from violations performed by the authorities, companies, organizations, and public services which were established by the City and which exercise administrative and public powers, except for claims relating to the work of the City Assembly. In order to protect and promote human rights, the Ombudsman monitors the implementation of regulations, controls the legality, expediency and efficiency of public administration, and has the authority to investigate the work of the administration in order to protect human rights.

In accordance with the Ombudsman Act, the most important activities to be performed by the protector of citizens include: taking action in human rights protection and promotion under the authority of the Ombudsman of the Republic of Serbia; preparing annual reports on the implementation and observance of human rights and the application of the principle of non-discrimination by the government administration; receiving and investigating complaints relating to the violation of human rights by the administration; acting on its own initiative in every case where there is doubt about the existence of human rights violations by the administration; organizing and participating in the organization and preparation of counseling regarding the exercise and observance of human rights and the prohibition of discrimination; initiating and promoting education regarding human rights in all areas of life; cooperating and exchanging experiences with other of citizen protectors, agencies and organizations dealing with the protection and promotion of human rights in the country and abroad.

The Ombudsman Office submits an annual report to the Assembly regarding its work, where it evaluates the work of administrative bodies from the standpoint of protection of human rights and liberties. The report contains a general assessment of the work of administrative bodies, the perceived failures and recommendations for their elimination, as well as criticism and praise to various administrative bodies and officials. The report always contains sections on the situation in the field of children's rights and gender equality.

The Ombudsman may also submit a special report to the Assembly that points to particularly serious cases of citizen rights violations, systemic human rights violations, or problems with the administrative bodies.

In 2008, the Ombudsman organized a series of activities related to the protection and promotion of children's rights. A group of activities was related to the operation of the Unified Student Parliament, founded on the initiative of the Ombudsman in 2008. Cooperation was established with the NGO sector so that the Student Parliament participated in the construction of the National Youth Strategy of the Republic of Serbia. The entire project was developed in cooperation with the Ministry of Youth and Sports. The "*School of Peace*" helped organize training for young entrepreneurs, introducing young people to the possibilities of developing their own businesses. In cooperation with the Regional Office for Youth, members of the Student Parliament were given the opportunity to directly influence decisions affecting young people, especially high-school students in the region.

The Office of the Ombudsman of the City of Kragujevac also established cooperation with the Club of Young People with Disabilities and undertook activities to help them get involved in all spheres of social, economic, sports and political life.

Analyzing the reports of the Ombudsman in the City of Kragujevac, we can point out to several important conclusions and actions in the field of exercising and protecting children's rights. The 2009 report emphasized the significant impact that political, economic and social conditions in the Republic of Serbia and the City of Kragujevac had on forming the attitudes of adults towards children and the opportunities for their active participation in society.¹⁷ One of the main characteristics of the relationship between adults and children in our country is an overly patronizing attitude of adults towards children. This relationship also exhibits a patriarchal family structure, where one is considered to be a "good kid" if he/she is primarily obedient. In this context, the traditional cultural pattern, which is still present in social relations concerning children, is characterized by dependence, passivity and obedience of a child towards adults; it further implies a lack of active participation of children in the classroom, school and social activities, which is a strong obstacle to the psychophysical, intellectual, emotional and moral development of a child.

In accordance with the current state of affairs, the Ombudsman reached the following conclusions: 1) it is essential to initiate the appointment of the protector of children's rights (the Children's Ombudsman) in Kragujevac, who would deal with the protection of the rights of the youngest people; 2) all child protection institutions should work closely together in the future in order to improve the position of children in Kragujevac; 3) the local government needs to continue the implementation of the Local Action Plan for Children; 4) individual campaigns dealing with children's rights need to be continued, but there is a need for the coordinated performance of the institutions for the care of children; 5) the Ombudsman Office needs to get involved in the implementation of the Local action plan for children by delegating its representative to a team formed by the City Council of Kragujevac.

Apart from that, the mentioned report points to the increase in the number of children exposed to various forms of inhuman treatment in the Republic of Serbia. The situation in the City of Kragujevac is such that 198 cases of domestic violence were reported in 2009, while 64 of these cases were against children. Corrective control over the exercise of parental rights was established and applied to 22 parents; 8 parents were sent to family

¹⁷ The Annual Report of the Ombudsman of Kragujevac, 2009.

counseling; 16 children were urgently provided for (12 children were sent to foster homes, 3 were sent to a shelter, and one child was sent to a specialized facility). Ten proceedings for terminating parental rights were initiated.

In the 2012 report, the Ombudsman pointed to the need for "awakening" the parental population in order for the attitude towards children to qualitatively change with respect for the rights and the status of children. Providing opportunities for active participation in child rearing and free development of children affects the formation of a healthy and responsible personality of the child, which will contribute to the society's progress in the future. The right to participate in decisions that affect the lives of individuals is one of the fundamental human rights, which also pertains to children as guaranteed in Article 12 of the Convention on the Rights of the Child. In order to promote and protect children's rights, the coordination and cooperation of all state and non-state institutions is necessary: the courts, the prosecution, the Interior Affairs Ministry, the Red Cross, the Center for Social Welfare, pre-school institutions and schools, health facilities and, of course, the Ombudsman.

The largest number of complaints referred to the National Health Insurance Fund pertains to the problem of verification of health insurance cards, the work of the judiciary in terms of maintaining personal relations with the parent that the child does not live with, and the contribution of the parent not entrusted with the child to the child's financial support.

In accordance with the report of the Ombudsman of the City of Kragujevac (2015), it can be concluded that the City should take necessary actions to ensure continuous monitoring and implementation of international standards and the law in the area concerning the rights of the child. The Ombudsman Office performed a range of activities regarding the protection and promotion of children's rights, with a special emphasis on educating young people in terms of their rights and how they could exercise their rights before the administrative authorities and other competent authorities. Taking an active part in the European Local Democracy Week in Kragujevac, the Ombudsman Office held a series of lectures to secondary schools students in Kragujevac who had the opportunity to learn about the way the institution of the Ombudsman functions, his competence and the proceedings that may be instituted by the Ombudsman. Some students had a chance to visit the Ombudsman Office, which was based on the idea that this form of education would become frequent in the future.

The report stated that the violation of the rights of children, both in Serbia and in the City of Kragujevac, is particularly prominent in some social categories such as children in a difficult financial situation, children with disabilities and developmental disabilities, children with no parental care, and children who are working. Regarding the category of particularly vulnerable children, the rights of Roma children are particularly threatened. Violence against children is still prominent and is reflected in various forms of neglect, exploitation and abuse, either in the family or by others, and there is also the problem of "bullying" (peer violence).

Bearing in mind the numerous initiatives and actions undertaken in the field of children's rights protection, as well as the endeavor to draw attention to various forms of child abuse and neglect, it may be concluded that the main disadvantage and impediment in the activities of the Ombudsman Office in Kragujevac is its limited jurisdiction in this field, particularly given the fact that the local Ombudsman may take concrete measures and actions in the field of human rights only after receiving authorization from the National Ombudsman.¹⁸ Furthermore, in the organizational structure of the Ombudsman Office,

¹⁸ Article 14, Item 3. The Ombudsman Act, Official Gazette of the City of Kragujevac, 18/08

there is no deputy for the affairs dealing with children's rights protection, nor there is a professional service to assist the socially vulnerable categories in exercising their fundamental rights.

5. CONCLUSION

Every child is a world, unexplored and full of surprises. In order to get to know different worlds, one needs to know how to approach, talk, and finally earn the trust of the child. These are just some of the questions that the local authorities need to address through numerous and diverse activities. The role of local authorities in the implementation and protection of children's rights implies an active support for both the child and the family, aimed at improving and preserving the quality of life, eliminating or reducing the risk of adverse circumstances, and creating opportunities for children to become autonomous entities.

The activities of local authorities are characterized by a large number of innovative plans and actions, whose comprehensive yet very practical goals provide for the exercise and protection of the rights of children and young people, as two of the most vulnerable social categories on a global level. The problem is the insufficiently clear division of power between central and local authorities, the delay in their communication, as well as a large number of legal acts of different legal force that are applied in this field.

Finally, the analyzed local authorities enable users to understand the importance of freedom and the rights they are guaranteed by legal acts, the choices they have, and the actions they can undertake within appropriate mechanisms. Following the development of the local community and the state, including the many transformations in the years of social turmoil, the analyzed local government authorities are a beacon for the lost and support for the ailing, constantly in pursuit of an appropriate measure to empower young people and families swayed by personal hardships and circumstances that the social system gives rise to.

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ULOGA LOKALNIH ORGANA U OSTVARIVANJU I ZAŠTITI PRAVA DECE – ISKUSTVO GRADA KRAGUJEVCA

Kao epicentar demokratije i zaštite prava građana, na području lokalne samouprave lokalni organi imaju pimarnu ulogu u ostvarivanju i zaštiti prava dece. Kao najznačajnije aktere u navedenoj oblasti u ovom radu analiziramo sledeće organe lokalne samouprave na primeru grada Kragujevca: Gradsku upravu za zdravstvenu i socijalnu zaštitu, Centar za socijalni rad "Solidarnost" i Ombudsmana. Poslovi organa lokalne samouprave su brojni i raznovrsni, u praksi otežani nepreciznim razgraničenjem nadležnosti u odnosu na centralne organe; međutim, ove institucije su nezamenjive u zaštiti prava dece, pružanju podrške kako detetu tako i porodici radi poboljšanja, očuvanja kvaliteta života, otklanjanja i ublažavanja rizika nepovoljnih životnih okolnosti kao i stvaranje mogućnosti da postanu autonomni subjekti društva.

Ključne reči: *prava deteta, Gradska uprava za zdravstvenu i socijalnu zaštitu, Centar za socijalni rad "Solidarnost", Ombudsman*