



Convention on the Rights of the Child

3 March 2010

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Committee on the Rights of the Child

Fifty-fourth session

25 May-11 June 2010

Optional Protocol on the involvement of children in armed conflict

List of issues to be taken up in connection with the consideration of the initial report of Serbia (CRC/C/OPAC/SRB/1)

The State Party is requested to submit in written form additional and updated information, if possible, before 6 April 2010.

The Committee may take up all aspects of children's rights contained in the Optional Protocol during the dialogue with the State Party. The present list of issues covers only some priority questions on which the Committee would like additional information before the dialogue.

1. Please provide information on the Law on Military, Labour and Material Duty adopted in October 2009. In particular, please provide information on the procedures of recruitment, and indicate if this Law prohibits persons under the age of 18 from joining the armed forces in all circumstances, including state of war and state of emergency. If so, does the State party intend to amend the declaration it made upon ratification?

2. Please describe legal measures in place to prohibit and criminalize the recruitment or use in hostilities by armed groups other than the armed forces of the State party, in accordance with article 4, paragraph 2 of the Optional Protocol.

3. Please explain whether the State party can assume extraterritorial jurisdiction over the war crime of conscripting or enlisting children under the age of 15 years into the armed forces or using them to participate actively in hostilities. Also in relation to extra-territorial jurisdiction, please inform the Committee whether courts have jurisdiction in cases of forced recruitment or involvement in hostilities of a person under 18 years if committed outside the State party by or against one of its nationals.

4. Please provide further and updated information on measures taken to disseminate information on the Optional Protocol, including, but not limited to, as part of human rights education in school curricula. Please also describe other measures taken to disseminate information on the Optional Protocol, particularly to the general public.

5. Please inform the Committee if the Military Grammar School in Belgrade is under the jurisdiction of the Ministry of Defence and if the students have the status of military personnel. Please indicate the age at which practice with weapons in military schools begins and provide information on the percentage of graduates and their ethnic origins that join the armed forces. Furthermore, please provide information on any complaints and investigation mechanisms accessible for children attending the Military Grammar School and how frequently such mechanisms are used.

6. Please inform the Committee whether national legislation prohibits the sale of arms when the final destination is a country where children are known to be, or may potentially be, recruited or used in hostilities.