

116 000

SOS LINIJA ZA NESTALU DECU
SOS LINE FOR MISSING CHILDREN

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THE 116000 MISSING CHILDREN HOTLINE IN SERBIA - ANNUAL REPORT -

INTRODUCTION

The European Missing Children Hotline has been active in Serbia since 2012. The **fourth¹ Annual Report of this hotline** covers the period from January 1st to December 31st 2015. This report conveys the numerous methods taken to improve the way missing children are searched for in Serbia. The report focuses on individual missing children cases, the problem of missing babies in Serbia and the initiative to introduce a new system, the Tijana Alert, which would be used in specific cases of missing children.

THE ROLE AND OPERATION OF THE 116000 EUROPEAN MISSING CHILDREN HOTLINE IN SERBIA: 2015

The main role of the 116000 European Missing Children Hotline is to receive calls that report that a child has gone missing and to forward these reports to the police and other competent authorities. It also provides psychological and other forms of support to the parents or guardians of a missing child, as well as supports the investigation and search for missing children. This hotline is of particular importance in the case that a missing child is found in the territory of a foreign country. Through the direct communication between the Hotline, the organization and the police of that particular country, the hotline ensures prompt reactions and creates a united force to find the missing child.

The 116000 Hotline in Serbia fully abides to the guidelines and instructions defined in the Practical Guide for Hotline Operators² which ASTRA has translated into Serbian language.

In the course of 2015, all organizations that operate the missing children hotlines participated in the harmonization of the 116000 Hotlines in Europe through Missing Children Europe. This umbrella organization, which ASTRA became a member of in 2014, has launched a project titled "Minimising Violence Through Quality Control: Monitoring and Evaluating 116000 Hotlines to Prevent, Support And Protect Missing Children." In 2015, the process of accrediting the organizations that run the 116000 line began. By September 2016, it is expected that the organizations which have fulfilled all of their requirements will receive accreditation.

¹ Previous annual reports on the work of the European Missing Children Hotline in Serbia available at ASTRA's website (<http://www.astra.org.rs/european-missing-children-number116-000/?lang=en#top>)

² http://missingchildreneurope.eu/portals/0/hotline/practical_guide_for_hotline_operators.pdf

CALLS RECEIVED BY THE EUROPEAN MISSING CHILDREN HOTLINE IN SERBIA: 2015

In the period of January 1st – December 31st 2015, a total of **414** calls were received by the European Missing Children Hotline in Serbia. The calls may be divided into two categories: missing children (**215**) and missing babies (**199**). All calls received are reported in Chart 1.



Chart 1: Type of calls

In this period, there were **155** calls related to the direct reports of missing children and steps taken towards finding them. There were **17** cases reported involving **21** children – **13** girls and **8** boys. The categories of missing children are presented in Chart 2.

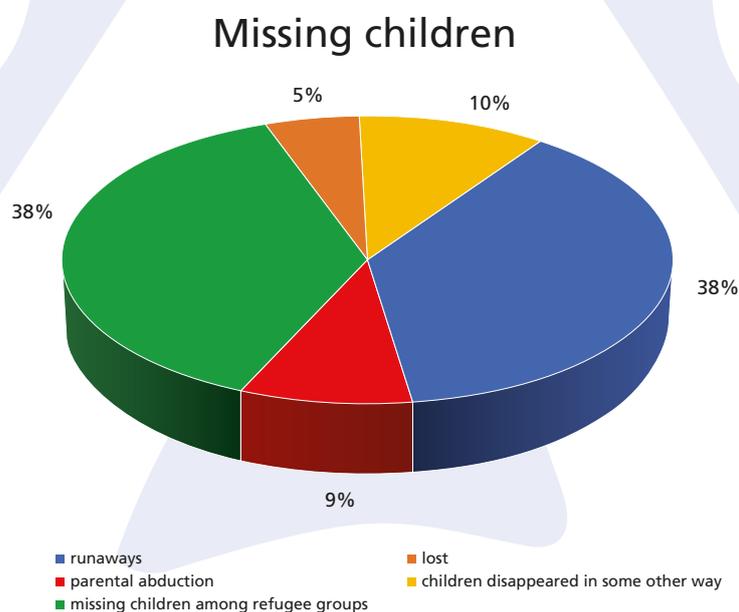


Chart 2: Missing children

In **8** cases children ran away from home. **Another 8** cases involved children who were fleeing war-torn countries accompanied by their parents or relatives, but who went missing on the road. **One** case involved a child who temporarily went missing before being found. There were **2** cases of parental abduction and **2** cases where children disappeared in some other way.

Twelve children have been found and reunited with their families while the search for 9 children is ongoing.

In the majority of cases, calls to report a missing child were made by non-governmental

organizations (57%) and parents (33%), but also by relatives of persons whose children disappeared (10%), as shown in Chart 3.

Who reported a missing child?

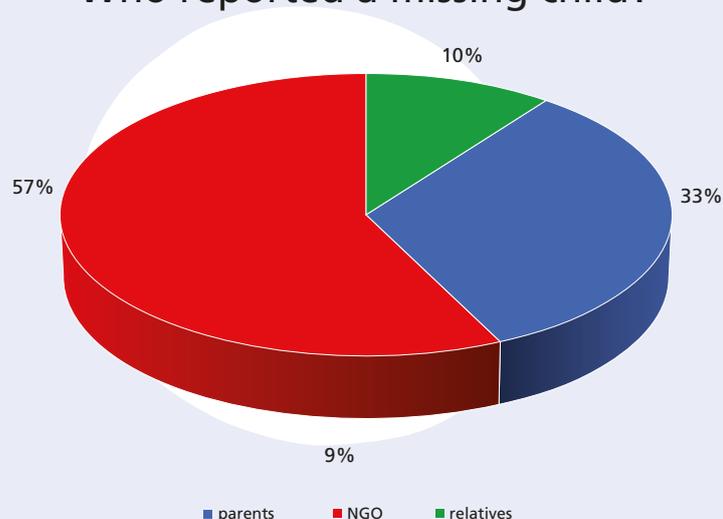


Chart 3: Who reported a missing child?

Other calls in this category (60) made to the European Missing Children Hotline in Serbia were not directly related to the reports of missing children, but to situations that fall within the jurisdiction of the court or other institutions (e.g. a father trying to locate a child after the situation of domestic violence; the parents are divorced or in the process of divorce and guardianship is still undecided by the court, as well as the schedule for visiting the child). Also, this category includes calls made by citizens who want to know how this hotline works or to obtain some preventative information. In one case, someone misused a photo of a girl who disappeared in Portugal in 2007 and spread false information via Facebook about the disappearance of a 9-year old girl from Serbia. In this case, a number similar to the European Missing Children Number was used as a contact number. Moreover, a poster for distributing data on this case via Facebook was made. ASTRA has informed competent authorities in order to take necessary steps to protect both citizens and the 116000 Hotline from abuse.

In 2015, 199 calls were made in regards to the cases of missing babies. A total of 53 new reports were received from parents who suspect that their babies were stolen from the maternity wards in Serbia in the past decade. The parents continue to call the Missing Children Hotline in order to obtain information about the possibilities to realize their rights and to find out about the current situation and the activities the Government has taken to implement the judgment of the European Court of Human Rights as in the case of Zorica Jovanović vs Serbia.

THE ACTIVITIES OF THE EUROPEAN MISSING CHILDREN HOTLINE IN SERBIA

CASES OF MISSING BABIES

The European Missing Children Hotline in Serbia has been recognized by the parents who suspect that their **new-borns were abducted from maternity wards** as a place where they can obtain useful information about the steps they should take and current developments regarding this problem. ASTRA has provided to all the parents who called the 116000 hotline the forms for requesting documentation from the registry offices, hospitals and the Public Utility Company "Funeral Services." ASTRA also provided the forms and detailed guidelines for contacting a competent Prosecutor's Office. Furthermore, the parents have been informed about the news and developments in the "missing babies" cases.

At the end of 2014, Serbia had decided that until May 2015 a *lex specialis* would be adopted that would regulate the acting of competent authorities in the missing babies' cases. In the course of 2015, the government worked on the proposal of the Draft Law, but despite the specified deadline, this document was not passed by the end of 2015.

ASTRA and YUCOM – Lawyers' Committee for Human Rights have pointed out on several occasions the deficiencies of the Draft Law, proposed by the Government, that in an open letter addressed the representative of the Working Group in charge of creating the law, the Ministry of Justice, the Council of Europe Committee of Ministers and the Serbian Prime Minister.

The most significant issue in the proposed law is that it fails to provide special procedures for establishing all the circumstances of significance for finding out the truth about the missing babies. Under this law, the competences of the special unit of the Ministry of the Interior are not clearly defined.

Furthermore, it is envisioned that the rules of non-contentious procedures shall be applied. This is despite the fact that independent bodies, which, according to the ECHR judgment, should supervise the "mechanism aimed at providing individual redress to all parents", do not have powers to conduct control over the work of courts.

As far as the statutes of limitation are concerned, the Government decided that only cases which occurred after January 1st 1970 – and moreover only cases of the parents who had taken concrete steps before the judgment in the case of *Zorica Jovanović vs Serbia* became final and enforceable, i.e. September 9th 2013 - will be taken into consideration. This would harm a large number of citizens who did not know whom to address after the hospitals refused to cooperate and provide requested information and documentation.

The date that the law will come into effect is not yet known. The next session of the Committee of Ministers where the missing babies' cases will be discussed is scheduled for March 2016. Serbia shall inform the Committee on the progress regarding the adoption of the law until that date.

JUDGMENT FOR THE ABDUCTION AND MURDER OF TIJANA JURIĆ

On June 15th 2015, the Higher Court in Subotica rendered a first instance judgment against Dragan Đurić from Surčin, who was sentenced to imprisonment for the maximum of 40 years for attempted rape and the murder of Tijana Jurić in July 2014. In October 2015, the Court of Appeal in Novi Sad confirmed the judgment of the Higher Court in Subotica³.

³ <http://www.ns.ap.sud.rs/index.php/src/informacije-i-saopstenja/saopstenja>

IMPROVEMENT OF THE EXISTING MECHANISMS TO SEARCH FOR MISSING CHILDREN

TIJANA'S LAW

Due to the decision of the National Assembly to adopt the amendments to Article 72 of the Police Act⁴ (which came into force on July 17th 2015) in cases of missing children the police shall, without delay, use all available measures and actions immediately after receiving a missing child report. Instead of waiting between 24 and 72 hours, depending on the circumstances, as they used too. This change is necessary in practice to ensure that missing children are found more efficiently and quickly. There is no doubt that this amendment was adopted under enormous public and media pressure, as well as under the pressure of the initiator of the change of the Police Act, Igor Jurić, father of Tijana Jurić, a girl who was kidnapped and brutally killed in 2014, who was calling, through continuous media actions, on all government actors to adopt changes.

TIJANA ALERT⁵

In agreement with Igor Jurić, ASTRA has launched an initiative for introducing the child Alert system which will be named the Tijana Alert system. For that purpose, in September 2014 ASTRA addressed the Ministry of the Interior for the first time.

In March 2015, an ASTRA representative and Igor Jurić went to visit the organization Child Focus in Brussels, where they had an opportunity to learn more about the functioning of the Child Alert system in Belgium, which should serve as a model for establishing the alert system in Serbia.

After that, on April 1, 2015, due to ASTRA's initiative, a meeting was held with the representatives of the Ministry of the Interior, the State Prosecutor's Office and the Ministry of Labour, Employment, Social and Veteran Policy. On that occasion, an ASTRA representative presented the existing Child Alert models, with special emphasis on practice in Greece, France and Belgium, so that the assessment could be done of the existing legislative frameworks and capacities that could be used for the introduction of the Alert system in Serbia. Unfortunately, after this meeting, ASTRA could not schedule another meeting with the representatives of ministries to further discuss the introduction of the Tijana Alert.

MARKING INTERNATIONAL MISSING CHILDREN DAY

International Missing Children Day is marked globally on May 25 in memory of a six-year old boy, Etan Patz, who disappeared in New York in 1979. After Etan's disappearance, US president Ronald Regan established the International Missing Children Day, symbolized by the sentence "forget-me-not".

ASTRA marked the International Missing Children Day with a performance for children at the Kalemegdan Park, Belgrade, on Sunday, May 24th 2015.

⁴ The Police Act, Official Gazette of RS, no. 101/2005, 63/2009, 92/2011 and 64/2015).

⁵ The proposal to introduce the "Tijana Alert" system is based on "Amber Alert" which exists in the USA and many European countries (Belgium, UK, Greece, Ireland, Germany, Romania, France, the Netherlands, the Czech Republic etc.). The Amber Alert makes it possible to alarm the public and draw attention to a missing child in the missing children cases that fit into specific criteria defined in advance (e.g. in cases of child abduction or where it is suspected that missing child's life is in danger). This is done in the way that the program of TV, radio and other broadcasters is stopped to publicize the information; further, billboards, ATMs, websites etc. are used for this purpose, as well.



While boys and girls were having fun watching children choirs of the Children Cultural Centre and the Dance Factory, boys band "Pakleni Ribnikari" and a puppet play by ZIT Theatre, their parents had an opportunity to talk with the representatives of ASTRA. They discussed what ASTRA does in regards to missing children reports, about prevention and how the 116000 hotline number works.

Parents were given leaflets containing information on the role and work of the European Missing Children Hotline and preventive materials on how to protect their children.

It is important to note that in 2014, all 116000 Hotlines received a total of 268,159 calls, but only 13% of the citizens of Europe know that such help lines exist⁶. This conveys the necessity to continue to inform citizens, especially parents, about the available services.



Further, ASTRA took part in social network campaigns launched by the Global Missing Children Network and the Missing Children Europe.

ASTRA supported Missing Children Europe's campaign #Save116000, Save a child at Thunderclap on May 25th 2015. This platform allowed individuals and companies to unite in spreading the same message which is also publicized on their social profiles at the same time. The aim of the campaign #Save116000, Save a child was to reach out to as many people as possible and call on them to save the 116000 number in their phonebooks, as well as to give their contribution in searches for missing children.

In addition, ASTRA, like many other organizations operating the 116000 Hotlines, put a blue

⁶ Source: <http://missingchildreneurope.eu/news/Post/877/Thunderclap-Save116000-Save-a-child>

flower on their profile on social networks⁷. The blue flower popularly called “forget me not” is a symbol chosen not only because of its name, but also because it blooms in May.



GLOBAL MISSING CHILDREN'S NETWORK CONFERENCE IN SINGAPORE

An ASTRA representative participated at the annual conference of the Global Missing Children's Network (GMCN) in Singapore on December 2-4, 2015. The discussion at the conference focused on the results of this global database and on the ways of prevention, popular awareness raising of different kinds of disappearances and good practices of organizations – Network members, especially when it comes to children who often run away from home. One of the topics was the functioning of the Child Alert system in different countries, and an ASTRA representative had an opportunity to learn more about the practice in other countries that may be applied in Serbia in the process of introducing the Tijana Alert.

GMCN was founded in 1998 and contains a multi-lingual database with photos and information about missing children around the world. Photos represent one of the most effective means in searching for missing children and quick distribution of child's photo in this way could significantly contribute to a successful search. Since July, ASTRA, as a member organization, can exchange photos and information about missing children from Serbia, as well as experiences, opinions, projects, initiatives etc. with other organizations.

CHALLENGES

As in previous years, ASTRA has faced different challenges both while working on individual cases and while advocating for systemic changes regarding missing children and the missing babies' cases. Response to some of these challenges were successful. However, some problems remain unchanged year after year. The most important challenges in our work are as follows:

a) Cooperation with state authorities – Cooperation with state authorities is of the utmost importance when it comes to missing children. Due to this, in 2014, ASTRA signed a Memorandum of Cooperation with the Ministry of the Interior, expressing readiness, through future joint activities, to significantly improve cooperation and additionally build capacities of Serbia in the area of protection of the rights of the child, acting without delay in cases of missing children. However, at an operational level, we still encounter problems in communication with the police, where readiness to cooperate on specific cases still depends on the will of the individuals involved.

Furthermore, the government is still not ready to pay serious attention to the problem of missing children and work on the establishment of the alert system, i.e. it does not recognize this mechanism as a significant tool in the search for missing children. ASTRA and YUCUM's suggestions have not been accepted nor respected, thus the missing babies' cases did not get an adequate response by the government in 2015.

⁷ file:///C:/Documents%20and%20Settings/ASTRA/My%20Documents/Downloads/IP-05-600_EN%20(1).pdf

b) Support/Financing – The lack of funding for the 116000 hotline is a problem that has been present since the line was established. In 2015, there was no financial support for the operation of the Hotline and it fully depended on existing ASTRA's programs intended for victims of human trafficking. In the long run, this is a serious challenge for the sustainability of the European Missing Children Number in Serbia. This is because the activities and the volume of work are significantly increasing and it is necessary to keep the present quality of work.

CONCLUSION

Over the years, the work of the European Missing Children Number in Serbia has shown significant improvements in the area of the protection of children and searches for missing children. However, it is necessary to improve cooperation with state authorities so that the planned activities can be carried out smoothly.

Although part of the public was informed about the existence of the 116000 Hotline on May 25th, when we marked the International Missing Children day, we expect that in the years to come the European Missing Children Number will be recognized both by relevant institutions and by a larger number of citizens.

Moreover, we are content with the development of this hotline which, in spite of nonexistent resources, has been working fully in accordance with the European standards⁸, developing existing practices, advocating for changes in procedures and responsibly approaching every individual case of a missing child.