

Invisible Workers: The Position of Collectors of Secondary Raw Materials



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Introduction

Secondary raw materials collectors in Serbia perform work that is both environmentally indispensable and socially invisible. On a daily basis, and in all weather conditions, they collect, sort, and deliver recyclable materials that would otherwise end up in landfills, thereby contributing to environmental protection and the development of the circular economy. Despite this contribution, their work is carried out in conditions of profound legal and social insecurity—without labor rights, without access to health or pension insurance, without protective equipment, and under continuous exposure to enforcement measures by municipal utility services.

This paper analyses the situation of collectors of secondary raw materials from a human rights perspective and through the lens of anti-Gypsyism. Its central thesis is that the precarious situation of collectors is not an incidental outcome of market forces, but rather the result of systemic neglect, discrimination, and active criminalization by state institutions. Through an analysis of the legislative framework, local municipal regulations, and the implementation of the Social Card Law, combined with the lived experiences of collectors, the publication demonstrates how the system—whether by design or through neglect—pushes this group into illegality and subsequently penalizes them for that same illegality, reflecting a well-established mechanism of the criminalization of poverty.

In order to gain a deeper understanding of the everyday challenges and realities faced by secondary raw materials collectors, the A11 Initiative conducted two focus group discussions, in Leskovac and Niš. Insights from these discussions are integrated in the following chapters and thematic sections. The direct testimonies of participants not only substantiate the thesis of systemic discrimination and criminalization, but also illuminate additional layers of precarity shaping their situation.

The conclusions and recommendations are grounded in concrete cases and practical situations encountered by collectors.

1.

Who Are Collectors of Secondary Raw Materials?

1.1. Demographic Profile

It is estimated that between 25,000 and 47,000 individuals in Serbia engage in the collection of secondary raw materials as their primary or sole economic activity. These figures reflect differing methodologies: the YUROM Centre estimates approximately 25,000 economically active individual collectors of secondary raw materials, while the A 11 Initiative together with the study *Who is Working?* suggests a broader range of between 35,000 and 50,000 Roma men and women engaged in this activity, including those who do so on an occasional or seasonal basis¹.

What remains unequivocal, however, is the pronounced ethnic dimension of this activity. Collectors are overwhelmingly members of the Roma national minority, rendering this phenomenon inseparable from the broader context of the position of Roma in Serbia. According to data from the Strategy for the Social Inclusion of Roma, more than 40% of registered working-age Roma are beneficiaries of financial social assistance, indicating a markedly disadvantaged material position². While precise data on actual unemployment among Roma are not available—beyond the general understanding that unofficial figures are considerably higher—approximately 28,000 Roma are registered as unemployed with the National Employment Service, compared to around 6,000 who are formally employed.

Of particular concern is the high prevalence of child involvement in this activity. According to findings from a study conducted by the Help organization across

1 YUROM Centre, *Proposal of the Working Group for the Formalization of the Work of Individual Secondary Raw Materials Collectors in Serbia*, 2025, available at: https://smartbalkansproject.org/wp-content/uploads/2025/03/Predlog-modeli-i-nacini-formalizacije-rada-ISSS-5.6.2025_rev.pdf
A 11 – Initiative for Economic and Social Rights, *Who Is Working? Handbook for the Self-Organization of Workers*, citing data originally derived from the research *Inclusion of Informal Collectors into the Evolving Waste Management System in Serbia*, GIZ

2 *The Strategy for Social Inclusion of Roma in the Republic of Serbia 2022-2030*, available at: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/vlada/strategija/2022/23/1>

23 municipalities in Serbia, in nearly half of the cases, the father performed the same work as the respondent, while more than 70% of children from these households are engaged in the collection of secondary raw materials³. This constitutes a clear manifestation of the intergenerational transmission of poverty and child labor, which is formally prohibited under domestic legislation and international conventions ratified by Serbia, including ILO Convention No. 182 on the Worst Forms of Child Labor⁴.

The gender dimension of this activity likewise warrants particular attention. Women collectors are exposed to multiple and intersecting forms of discrimination, both as Roma and as women. Research indicates that women earn less than their male counterparts, are more frequently subjected to verbal abuse and sexual harassment, and are underrepresented in formal structures (such as associations and trade unions) that could advocate on their behalf⁵.

1.2. Collection as a Survival Strategy

It is essential to recognize that, for the vast majority of those engaged in it, the collection of secondary raw materials is not a matter of free choice, but rather a strategy of survival in the absence of any viable alternative. Two principal pathways into this activity can be identified. The first is rooted in family continuity: many begin collecting as children, accompanying their parents, and continue throughout their lives. The second arises from the loss of formal employment, after which collection becomes the only available means of subsistence. In both cases, those engaged in this activity are individuals who are multiply excluded from the formal labor market—due to low levels of education (a consequence of poverty and discrimination), residence in informal settlements without registered addresses, lack of personal documentation, and overt discrimination on the part of employers.

3 Help – Hilfe zur Selbsthilfe, *Assessment of the Socio-Economic Position of Informal Waste Collectors in Serbia*, Belgrade, 2017, available at: https://help-serbia.org.rs/wp-content/uploads/2020/11/Analiticki-izvestaj_SR_2017.pdf

4 Law on Ratification of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor and ILO Recommendation No. 190 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, “Official Gazette of the FRY – International Treaties”, No. 2/03.

5 Help – Hilfe zur Selbsthilfe, *Assessment of the Socio-Economic Position of Informal Waste Collectors in Serbia*, Belgrade, 2017, available at: https://help-serbia.org.rs/wp-content/uploads/2020/11/Analiticki-izvestaj_SR_2017.pdf

Field practice in the provision of legal support by the A 11 Initiative has documented numerous instances of discrimination against Roma. This is further corroborated by the reports of the Commissioner for the Protection of Equality, which record cases in which employers directly refuse to hire Roma, either without justification or on explicitly discriminatory grounds⁶. In such an environment, waste collection often remains the only *career* available to these individuals—not because it corresponds to their skills or aspirations, but because the system has left them with no other viable option.

All focus group participants unequivocally emphasized that the collection of secondary raw materials is work undertaken out of necessity, as a survival strategy in the absence of alternatives. The activity is frequently transmitted across generations—not as a chosen family tradition, but as the only accessible economic activity for individuals facing multiple forms of exclusion.

“It is our inheritance, brother. What choice is there... You have children, some of them are ill. I have two sons who are ill, hyperactive—I do not even fully understand it—and you have to do everything just to provide them with medicine, food, and what they need most. What others think does not concern me.”

(Participant from Niš)

“I completed eight grades of primary school. My father collected secondary raw materials. There are four of us brothers, and I am the eldest... I remember going to school, and he would call me—I would leave my school bag and go. I was there as his right hand, helping him.”

(Participant from Niš)

My parents did not engage in this activity, but that is the situation in the country—we did not complete our education, there are no jobs... Some of us have not even completed primary school, and we all have three or four children...”

(Participant from Leskovac)

6 A 11 – Initiative for Economic and Social Rights, *Who Is Working?* Handbook for the Self-Organization of Workers, available at: <https://www.a11initiative.org/wp-content/uploads/2025/04/Ko-radi-rad-.pdf>

Special Report on Discrimination in the Field of Labor and Employment, Commissioner for the Protection of Equality, available at: <https://ravnopravnost.gov.rs/wp-content/uploads/2023/03/12-19.pdf>

The majority of participants indicated that they would accept formal employment if it were available under accessible and dignified conditions, clearly demonstrating that collection is not a preferred form of work, but rather a last resort:

- “We would all be satisfied with employment in a company. Why walk 15 kilometers each day through the streets, never knowing whether you will return home with anything at all..”
- “What are you supposed to do—steal? We do not want to steal; we want to live honestly. Whatever God gives.”
- “Speaking for myself, I would prefer a job with a contract, a fixed salary of 60,000–70,000 dinars, to be able to take out a loan and get on my feet—what else can I do like this?”

The incomes of collectors are irregular, low, and significantly below the poverty threshold. A 2024 study indicates that, for nearly two-thirds of collectors, monthly earnings do not exceed 300 euro, while the prices of secondary raw materials remain low and highly volatile⁷. Collectors have no bargaining power in price-setting: prices are dictated by buyers, leaving collectors with the choice of accepting them or returning empty-handed.

1.3. The Unrecognized Economic Contribution

Despite their marginalized position, available evidence demonstrates that collectors of secondary raw materials make a significant contribution to both the Serbian economy and environmental protection. According to data from the YU-ROM Centre, approximately 25,000 individual collectors annually collect more than 500,000 tons of recyclable municipal waste, accounting for over 85% of the total municipal waste collected in Serbia⁸. This makes them, by a considerable margin, the most efficient actors in the waste management chain, despite operating without formal status, regular income, or social insurance coverage.

⁷ In Niš, in September 2024, purchase prices were as follows: PET packaging – 20 RSD/kg; paper – 3–5 RSD/kg; iron – 18 RSD/kg; aluminum – 80–100 RSD/kg; copper – 500–600 RSD/kg. Osman Balić and Dragan Todorović, *Urban Miners: Analysis of the Impact of Existing Policies and Practices on the Labor and Legal Status of Individual Secondary Raw Material Collectors in Serbia, with Recommendations for Formalization and Efficiency Enhancement*, Niš, 2025.

⁸ *Proposal of the Working Group for the Formalization of the Work of Individual Secondary Raw Material Collectors in Serbia*, Ibid.

The 2025 ILO diagnostic of Serbia's e-waste sector⁹ indicates that the informal sector collects approximately 15,000 tons of e-waste annually, representing a significant share of the total generated volume of 84,200 tones¹⁰.

Serbia also generates substantial revenue from the export of secondary raw materials. According to 2023 data, annual revenues in the recycling sector exceed 60 billion dinars (over EUR 500 million), with revenues of registered companies increasing from 46.6 billion dinars in 2023 to 60 billion dinars in the most recent reporting period¹¹.

The recycling industry is among the few industrial sectors that has continued to grow even during periods of economic downturn. However, those performing the most arduous, hazardous, and least remunerated segment of this value chain remain in conditions of extreme poverty, without any share in the value they help generate. Informal collectors thus play a critical role in achieving Serbia's recycling targets under the EU accession framework, while remaining neither formally recognized nor adequately compensated for their contribution.



9 Electrical and electronic waste (so-called e-waste) refers to discarded electrical and electronic equipment, including assemblies and components, generated in economic activities (industry, crafts, etc.), as well as household e-waste, i.e., discarded equipment originating from households or from production and/or service activities where, by type and quantity, it is comparable to household e-waste. Source: <https://www.nasareciklaza.rs/sta-je-ee-otpad/>

10 International Labor Organization (ILO), *Adapt-Mitigate-Thrive (AMT) Diagnostic for Serbia's e-Waste Sector*, Geneva, 2025, https://www.ilo.org/sites/default/files/2025-06/AMT-Serbia_06_Web.pdf

11 Biznis.rs, *Annual Revenues of Recyclers Exceed 60 Billion Dinars*, 18 July 2025. Available at: <https://biznis.rs/vesti/srbija/godisnji-prihodi-reciklera-veci-od-60-milijardi-dinara/>

2. Working Conditions and Health Risks

2.1. Physical Working Conditions

The working day of secondary raw material collectors begins at dawn and continues until dusk. According to the *Urban Miners* study, 93% of collectors start work between 9:00 and 10:00 a.m., while 42% work until nightfall, and 32% work more than ten hours per day¹². Work is continuous, and uninterrupted by meal breaks, adverse weather conditions, or extreme temperatures. It is performed seven days a week, without annual leave, sick leave, or any formally recognized rest entitlements.

Transportation represents one of the key structural constraints of this activity. The most commonly used means of transport are handcarts, which significantly restrict the volume of materials that can be collected and subsequently sold. Half of collectors relying on handcarts do not earn more than 35,000 dinars per month, whereas those with access to a truck may earn over 50,000 dinars¹³. This disparity in transport capacity directly translates into varying degrees of poverty.

Mobility is further constrained by persistent discrimination in traffic. In Belgrade, collectors using cargo bicycles are exposed to daily forms of discrimination from drivers and municipal authorities. Although cargo bicycles are well adapted to urban environments and are environmentally sustainable, they are frequently perceived as a visible marker of poverty, while the presence of collectors in traffic is often treated almost as *illegal*¹⁴.

12 Osman Balić and Dragan Todorović, *Urban Miners: Analysis of the Impact of Existing Policies and Practices on the Labor and Legal Status of Individual Secondary Raw Material Collectors in Serbia, with Recommendations for Formalization and Efficiency Enhancement*, Niš, 2025.

13 *Ibid.*

14 Association of Citizens - Bajsologija, *Inclusive Mobility of Collectors of Secondary Raw Material, Belgrade*, available at: <https://rs.boell.org/sites/default/files/inkluzivna-mobilnost-sakuplja-ca-sekundarnih-sirovina.pdf>

2.2. Health Risks and Injuries

The collection of secondary raw materials is among the most hazardous occupational activities. Collectors are routinely exposed to hazardous substances, infectious agents, and a wide range of injuries, including cuts and lacerations caused by sharp metal objects, chemical burns, respiratory and dermatological infections, and chronic musculoskeletal pain affecting the back, shoulders, and lower limbs as a result of sustained physical strain. According to the *Urban Miners* study, two-thirds of collectors have experienced at least one work-related injury during their working lives, with many reporting more than five such incidents.

Occupational safety and health (OSH) standards are entirely unknown to informal waste collectors, given that they are not formally and legally recognized as workers. Consequently, the provisions of the Occupational Safety and Health Law do not apply to them. In the absence of an employer who would be legally obliged to conduct risk assessment, collectors are left entirely on their own. They do not possess basic personal protective equipment (gloves, protective footwear, masks), are not trained in safe working practices, and are not subject to regular medical examinations. In addition to physical injuries, they are exposed on a daily basis to biological and chemical hazards resulting from contact with mixed municipal waste, medical waste in containers, and hazardous substances encountered during the dismantling of electronic waste. Long-term health consequences, such as chronic respiratory diseases and damage to the musculoskeletal system, remain invisible to the healthcare system, as collectors most often lack even basic health insurance.

The consequences of such working conditions are severe: the average life expectancy of secondary raw material collectors is estimated at only 46 years¹⁵.

Working conditions in the sector of the collection of secondary raw materials are characterized as highly demanding and unsafe, with continuous work throughout the year, regardless of weather conditions, and involving significant physical strain.

“Whether it is 50 degrees, winter, rain—it makes no difference, you have to earn a living.”

(Participant from Niš)

15 A 11 - Initiative for Economic and Social Rights, *Who Is Working? Handbook for the Self-Organization of Workers*, <https://www.a11initiative.org/wp-content/uploads/2025/04/Ko-radi-rad-.pdf>

Physical strain is considerable, involving pushing handcarts or riding bicycles under heavy loads.

“It is pure torture, you push. When the cart is empty, you push it as much as you want, but when it is already half full... then you think about buying new tyres, the wheels are bent... all sorts of things. If I had not pushed carts, I would not have had a stroke.”

(Participant from Leskovac)

Health risks are a daily reality, while protective equipment is largely unavailable (“Maybe just gloves if you have your own. You buy them for 50 dinars and go from bin to bin.”). Participants from Niš report frequent injuries, cuts from glass, and puncture wounds from discarded medical needles in containers.

“It happens often that I cut myself on glass, many times. You get pricked by a needle; thank God it was not sepsis.”

(Participant from Niš)

In Leskovac, a tragic example of severe third-degree burns was reported, involving four young collectors, caused by a gas cylinder explosion during an attempt to dismantle metal, just one day before the focus group.

“They were cutting a gas cylinder from a car with a grinder, separating the material, and then the cylinder exploded. Four people were injured; they underwent surgery, all burned... third-degree burns. When it exploded... like a bomb. Four injured. They are all under 30. Two brothers underwent surgery in Niš yesterday. One has 30% skin damage, the other 15%.”

(Participant from Leskovac)

Another participant from Leskovac shows a permanent finger injury:

“You see this finger of mine, the left one? If I had had protection, it would not look like this. A 130-kilo stove fell on it. I took it for nothing, without earning a single dinar, and I kept my hand like this for five months; I was injured.”

Despite these risks, collectors rarely undergo preventive medical examinations, and in cases of illness, they rely on family solidarity.

“We do not go for check-ups, and we do not regularly take blood or urine tests; we basically just absorb everything... all that dust. But we do not go. We do not know.”

(Participant from Leskovac)

3.

Stereotypes and Dehumanization

Collectors of secondary raw materials are subject to deep and multidimensional stigma. In public discourse, they are rarely acknowledged as workers providing a valuable service. The pervasive stereotype of Roma as “non-workers” who “only beg” stands in stark contrast to empirical evidence: collectors of secondary raw materials work seven days a week, without annual or sick leave, from dawn to dusk¹⁶.

Ethnic distance towards Roma in Serbian society has been gradually increasing, as confirmed by public opinion research. This distance is directly reflected in the daily experiences of secondary raw materials collectors, who are frequently exposed to verbal abuse, insults, physical violence, denial of services, and discrimination in traffic. Research conducted by the Help organization has documented cases in which Roma women engaged in the collection of secondary raw materials were physically attacked¹⁷.

16 Osman Balić and Dragan Todorović, *Urban Miners*, *Ibid.*

17 Help – Hilfe zur Selbsthilfe, *Assessment of the Socio-Economic Position of Informal Waste Collectors in Serbia*, Belgrade, 2017, *Ibid.*

4.

Legal Framework: Criminalization Through Regulation

4.1. Waste Management Law: Erasure from the System

The principal legislative act governing the position of secondary raw materials collectors is the Waste Management Law¹⁸.

Under the previously applicable Waste Management Law of 2009, and subsequently under the 2018 amendments, a waste collector was defined as a “natural or legal person collecting waste.” Under this definition, individual secondary raw materials collectors—natural persons—were formally recognized as part of the waste management system.

Under the 2023 Amendments to the Waste Management Law (“Official Gazette of the RS”, No. 35/2023), Article 5, paragraph 29, the definition was changed: a **“waste collector is an entrepreneur or a legal entity collecting waste.”** By replacing the term “natural person” with “entrepreneur”, individual secondary raw materials collectors cease to exist within the legal framework.

The only remaining “exception” is contained in Article 70, paragraph 3, which stipulates that natural persons collecting sorted non-hazardous waste within the territory of a local self-government unit are not required to obtain a permit.

The occupation of “secondary raw materials collector” was codified in both international and national occupational classifications in 2011. Paradoxically, while the occupation continues to exist within classification systems, it is no longer recog-

¹⁸ “Official Gazette of the Republic of Serbia”, No. 109/2025

nized in the legislation governing the activity¹⁹. Although European Union legislation does not explicitly recognize “informal secondary raw materials collectors”, the Waste Framework Directive presupposes the establishment of efficient waste collection systems, improved recycling, and inclusive, functional waste streams. While the Directive does not mandate “recognition”, it insists on a functional system, which in practice has led to various forms of integration of secondary raw materials collectors into systems (e.g., Romania, Bulgaria, parts of Italy).

The new Waste Management Law of December 2025 retains the restrictive definition introduced in 2023, thereby continuing to exclude individual collectors from the formal waste management system. At the same time, the possibility for natural persons to collect certain categories of non-hazardous waste without a permit (as in the previous law) constitutes an exception to the regulatory regime, rather than formal recognition of the status. As the current Waste Management Law maintains the definition of secondary raw materials collectors as entrepreneurs or legal entities, an opportunity has been missed to re-establish natural persons as actors within the system. Although the new law strengthens the formal waste management system, the absence of legal recognition of individual secondary raw materials collectors leaves a critical segment of the recycling chain outside the institutional framework.

4.2. Waste Management Law and Ownership of Waste

The Waste Management Law²⁰ stipulates that ownership of municipal waste deposited in designated containers is vested in the public utility company (PUC). This provision has far-reaching implications for secondary raw materials collectors: each instance of removing materials from containers may, in legal terms, be construed as the unlawful appropriation of PUC property.

This legal construct is controversial for several reasons. First, it concerns materials that have already been discarded and that inherently constitute a burden on the municipal system, given the obligation of the PUC to collect and manage them. In practice, individual collectors intervene before such waste generates

19 YUROM Centar / SMART Balkans, *Proposal of the Working Group for the Formalization of the Work of Individual Collectors of Secondary Raw Materials in Serbia*, 2025. https://smartbalkansproject.org/wp-content/uploads/2025/03/Predlog-modeli-i-nacini-formalizacije-rada-ISSS-5.6.2025_rev.pdf

20 Law on Communal Activities (“Official Gazette of the Republic of Serbia”, Nos. 88/2011, 104/2016, 95/2018 and 94/2024), Article 2

costs for the system, contributing to its separation and potential recycling. Nevertheless, the current legal framework fails to recognize this functional role; on the contrary, through the ownership regime applied to waste, it provides grounds for the potential criminalization of these activities.

4.3. Local Municipal Regulations: Three Examples

In addition to national legislation, local municipal regulations represent a second tier of legal criminalization affecting secondary raw materials collectors. An analysis of regulations in three cities—Belgrade, Niš, and Leskovac—reveals a consistent pattern: local self-governments prioritize the interests of public utility companies while disregarding the basic livelihood needs of the most vulnerable populations.

Belgrade

The Decision on Maintaining Cleanliness in the City of Belgrade²¹ explicitly prohibits, in Article 34, paragraph 11, the “sorting or collecting waste from garbage disposed of in plastic bags and containers.”

This prohibition directly affects informal secondary raw materials collectors, as containers and plastic bags constitute their primary source of raw materials. A violation of this provision constitutes a misdemeanor punishable by a fine of 10,000 dinars (Article 52b of the Decision), and municipal police are authorized to issue on-the-spot misdemeanor orders. Such a penalty regime is clearly disproportionate, as it financially sanctions the most socially vulnerable individuals for activities that effectively contribute to waste reduction and alleviate pressure on the municipal system, without causing demonstrable social harm that would justify such a level of punitive response.

Niš

The Decision on Municipal Order of the City of Niš²² regulates waste management and prohibits unauthorized disposal and scattering of waste. Provisions prohibiting the sorting of waste from containers are embedded within broader clauses on the protection of municipal order, thereby granting municipal

21 Official Gazette of the City of Belgrade”, No. 27/2002 and amendments as of 19/2017

22 “Official Gazette of the City of Niš”, No. 13/2023

inspectors wide discretionary powers in interpretation and enforcement. In practice, any activity undertaken by informal secondary raw materials collectors in the vicinity of waste containers may be treated as a misdemeanor.

Niš is particularly significant, as it was here that the Republic Union of Secondary Raw Materials Collectors²³, was founded in 2011, the first organization of its kind in Europe. The establishment of such a union in a city whose municipal regulations criminalize the work of its members underscores the structural paradox within which these collectors operate.

Leskovac

The Decision on Municipal Order of the City of Leskovac²⁴ includes provisions prohibiting waste disposal in public areas and unauthorized waste dumping. As in the case of Niš, these provisions are formulated broadly enough to encompass the activities of secondary raw materials collectors, leaving room for selective application and discretionary enforcement.

None of the analyzed local regulations contain provisions that would enable secondary raw materials collectors to access waste legally, nor do they provide mechanisms for their integration into the municipal system, which is, in any case, consistent with the overarching law. Local self-governments treat secondary raw materials collectors exclusively as a problem to be addressed through repressive measures, rather than as actors who could be part of the solution. An illustrative example of such practice was recorded in Novi Sad, where the public utility company “Čistoća” engaged a private security agency in 2017 to secure public containers from secondary raw materials collectors. The “container guards” were tasked with physically preventing collectors from accessing waste, and shortly thereafter, collectors began receiving misdemeanor fines ranging from 5,000 to 7,000 dinars²⁵.

Relations with institutions, particularly the police and municipal services, are marked by a high level of distrust and a repressive approach towards secondary raw materials collectors, including frequent stops and checks based on the assumption of the unlawful origin of the collected material.

23 <https://www.masina.rs/tag/republicki-sindikati-sakupljaca-sekundarnih-sirovina/>

24 “Official Gazette of the City of Leskovac”, No. 23/2017 and 41/2025 – other decision

25 A 11 – Initiative for Economic and Social Rights, *Who Is Working*, Handbook for the Self-Organization of Workers, *Ibid.*

“They stopped me and said: Tell me everything you have with you, they stopped me, they do not ask where you got it from, whether you bought it, who gave it to you — they immediately ask where you stole it? Where did you steal it, I am asking you? And then unload it so I can check; you have to unload the whole van so they can inspect what is there...”

(Participant from Leskovac)

“They just fine us so it looks like they are doing something. I say: ‘Wait, sir, what have I done wrong?’ They ask us: ‘Where did you get all this from?’ I say: ‘Well, I found it in a bin,’ I explain. Try proving to them that you found something in a bin and did not steal it. I am not guilty, and yet the officer fined me.”

(Participant from Niš)

This harassment also includes the issuing of misdemeanor fines, often under the pretext of disturbing public order and peace due to noise or the manner in which collectors announce the purchase of raw materials, as well as threats of confiscation of the collected material.

“Those of us who go around in vans, for example, mostly get fines for public order and peace, due to noise. You usually drive an old van, they always find something, they always find something.”

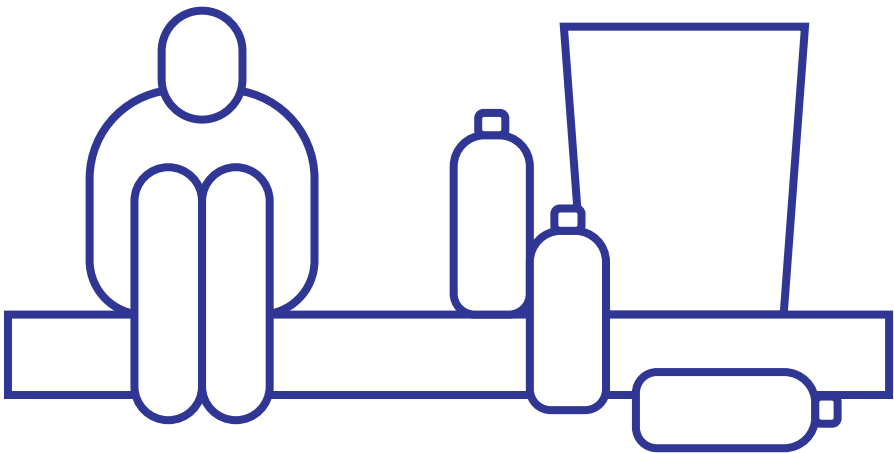
(Participant from Leskovac)

4.4. Systemic Logic: Deliberate Criminalization or Institutional Inertia?

The question that inevitably arises is whether the criminalization of secondary raw materials collectors is the result of deliberate policy choices or of institutional inertia and neglect. The answer most likely lies somewhere in between, albeit with a clear tendency towards the former.

The modernization of Serbia’s waste management system is occurring under the pressure of alignment with EU directives, which envisage “integrated waste management” primarily as a public or corporate function. Applied without adequate adaptation to local, this model tends to exclude informal

actors. At the same time, identifiable economic interests suggest elements of deliberate marginalization. Public utility companies have a vested interest in controlling the flow of secondary raw materials, as it is a source of revenue. Private recycling companies, for their part, benefit from purchasing raw materials at the lowest possible prices, without competition from organized collectors. Within such an environment, informal secondary raw materials collectors become convenient *scapegoats* for systemic problems, while their criminalization diverts attention from structural deficiencies.



5. Social Card Law: Algorithmic Punishment for Survival

5.1. Mechanism of the Law

The Social Card Law, which entered into force in 2022, established the Information Register “Social Card”, a system for the collection and processing of data on social welfare beneficiaries. The system relies on an algorithm that processes more than 130 personal data points for each beneficiary and persons closely related to them, and automatically compares income against the statutory eligibility threshold for social assistance.²⁶

According to data from the A 11 Initiative, the implementation of this law resulted, at one point, in nearly 60,000 of the poorest citizens being deprived of their right to financial social assistance²⁷. Automated data exchange between institutions has led to frequent and non-transparent suspensions of rights, without timely notification or the opportunity for beneficiaries to respond. Consequently, social insecurity among the most vulnerable has deepened further, with individuals left without basic means of subsistence and without clear justification or adequate legal protection. Due to this form of semi-automated decision-making affecting citizens’ rights, which is contrary to the Constitution of Serbia, several members of ESCR-Net, a global network for economic, social and cultural rights, submitted a joint opinion accompanied by an initiative for constitutional review²⁸.

²⁶ More information on the register and cases reported in practice is available at: <https://antisocialnekarte.org/>

²⁷ A 11 – Initiative for Economic and Social Rights, *The Social Protection System in Serbia Does Not Help the Poor, But Rather Aims to Eliminate Them*, 25 May 2024. <https://www.a11initiative.org/sistem-socijalne-zastite-u-srbiji-ne-pomaze-siromasnima-vec-mu-je-cilj-da-ih-eliminise/>

²⁸ An initiative for the review of the constitutionality of the Social Card Law has been launched, accompanied by a Joint Legal Opinion submitted to the Constitutional Court of Serbia by several members of ESCR-Net (the Global Network for Economic, Social and Cultural Rights). More information is available at: <https://antisocialnekarte.org/#legalframe>

5.2. The Collectors' Paradox

For secondary raw materials collectors, the Social Card Law has created a specific and devastating paradox. Namely, when collectors sell secondary raw materials to buyers, they are required to provide their identity card or personal identification number (JMBG). These data are recorded in the system and incorporated into the Social Card algorithm. If a collector "earns" an amount exceeding the threshold for social assistance during a given month (approximately 12,266 dinars), the system automatically generates a notification to the Center for Social Work, which in most cases results in the termination of social assistance²⁹. This mechanism raises several serious concerns.

First, the income received from the sale of secondary raw materials does not constitute "net income" in economic terms. It does not account for transport costs, vehicle depreciation, or health care expenses. Nevertheless, the algorithm treats gross income from the sale of waste as net income, disregarding operational costs and failing to recognize that such income is typically shared across the entire household.

Second, the eligibility threshold itself is systemically very low. Financial social assistance for a five-member household amounts to approximately 29,439 dinars per month, which remains well below the minimum required for subsistence. A collector who, in a given month, sells a large quantity of waste and "earns" 12,266 dinars automatically loses this already insufficient assistance, thereby being left without any income whatsoever.

Finally, this normative framework has particularly restrictive implications at the household level, as it extends the consequences of an individual's activity to the entire family unit. Income generated from the sale of secondary raw materials by any household member may serve as grounds for terminating financial social assistance for the entire household. This introduces a form of collective sanction, further exacerbating the economic insecurity of families already living on the edge of subsistence.

The implementation of the Social Card Law contributes to a growing distrust in institutions, as any formalization of income is perceived as posing a direct risk of losing social assistance. As a result, collectors resort to strategies of avoid-

²⁹ N1, *How the Law 'Punished' Roma Engaged in the Collection of Secondary Raw Materials*, 14 June 2024. <https://n1info.rs/vesti/kako-je-zakon-kaznio-rome-koji-sakupljaju-sekundarne-sirovine/>

ing formal channels, including refusing to provide identification or using third parties' data when selling secondary raw materials.

“Sometimes they asked for a bank account, but there was no way I would comply, the Center for Social Work would be alerted immediately. It would mean that our income exceeds the permitted threshold, that is the issue.”

(Participant from Leskovac)

Participants from Niš explicitly confirm the use of third parties' identity documents, primarily those of individuals who are not beneficiaries of social assistance:

“We use other people’s ID cards... so as not to lose social assistance. My father-in-law recently lost his entitlement because of that.”

As a consequence of their refusal to identify themselves, collectors are often compelled to sell secondary raw materials at unregistered waste sites or at prices significantly below market value, further diminishing their already limited income and perpetuating cycles of poverty.

“There is a waste site where Serbs work, while prices in Roma settlements are lower. We do not provide ID, but we lose out on price.”

(Participant from Niš)

“If he (the buyer) sets, say, 20,000, and gives you only 2,000, how will he cover himself unless he brings in 5–6 of us and manages to make up the difference—that is it... It is levelled every day.”

(Participant from Leskovac)

This fear of losing social assistance also extends to seasonal agricultural work. Although the Law on Social Protection excludes such work from the income assessment, individuals remain reluctant to engage through formal payment channels.

“Everything that is paid through a personal bank account affects it. Let me tell you, at that plantation down there, payments are made weekly, and although people are aware of benefit cancellations, they still withdraw funds weekly, but it is all recorded... People are losing their benefits.”

(Participant from Leskovac)

5.3. Constitutional and Legal Dimension

As noted above, the A 11 Initiative has submitted a request to the Constitutional Court of Serbia seeking a review of the constitutionality of the Social Card Law. The key arguments include: violation of the right to privacy (due to the mass collection of personal data), violation of the right to social protection (through the automated termination of rights without an adequate procedure), and discrimination (owing to the disproportionate adverse impact on the Roma community)³⁰.

Semi-automated decision-making affecting citizens' rights, based on a non-transparent algorithm, runs counter to the standards of the European Union General Data Protection Regulation (GDPR), with which Serbia seeks to align. The right to an explanation of algorithmic decisions and the right to object are fundamental guarantees in a democratic society governed by the rule of law; however, the Social Card Law effectively denies these safeguards to the most vulnerable citizens.

5.4. EU Framework: WEEE Directive and the Informal Sector

Directive 2012/19/EU of the European Union on waste electrical and electronic equipment (WEEE Directive) sets targets for the collection and recycling of e-waste. As a candidate country, Serbia is expected to achieve a collection rate of 45% by 2031 and 65% by 2035³¹.

The paradox is that Serbia is unlikely to meet these targets without the contribution of informal collectors, who currently collect around 15,000 tons of e-waste annually. Rather than integrating these actors into the formal system, existing policies tend to exclude and criminalize them, thereby directly undermining the attainment of EU targets.

30 The initiative for the review of constitutionality is available at: <https://antisocijalnekarte.org/#legalframe>

31 International Labor Organization (ILO), *Adapt-Mitigate-Thrive (AMT) Diagnostic for Serbia's e-Waste Sector*, Geneva, 2025. https://www.ilo.org/sites/default/files/2025-06/AMT-Serbia_06_Web.pdf

6. Position of Collectors and the Right to Work: A Human Rights Perspective

6.1. Violation of Economic Rights

From the perspective of international human rights law, the position of secondary raw materials collectors in Serbia reflects violations of several fundamental rights. Serbia has ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR), which guarantees the right to work (Article 6), the right to just and favorable conditions of work (Article 7), the right to social security (Article 9), and the right to an adequate standard of living (Article 11).

The right to work implies not only the right to engage in work, but also the right to access the labor market without discrimination. The systemic exclusion of Roma from the formal labor market, combined with the criminalization of the only available informal economic activity, constitutes a direct violation of this right. The right to just and favorable conditions of work includes the right to safe working conditions, the right to rest and leisure, and the right to remuneration ensuring a decent standard of living. Collectors who work seven days a week, without protective equipment, without the right to rest, and for earnings below the poverty line, are deprived of all these rights.

Testimonies from both cities where focus groups were conducted indicate the presence of **systemic anti-Gypsyism in access to the formal labor market**, manifested through discriminatory employment practices. Participants describe recurring patterns of rejection based on ethnic affiliation, often concealed behind formally neutral procedures such as selection tests or unfulfilled promises of employment, pointing to structural barriers that extend beyond individual cases.

In Leskovac, specific examples were identified in industrial facilities of foreign investors (such as Leoni and Aptiv), where there is a perception that candi-

dates of Roma ethnicity systematically fail to pass the initial stages of the recruitment process.

“They gave us some kind of test at Leoni. There are illiterate people who want to work, but they cannot pass the test; practically all of them were Roma, and no one was able to pass the test. It is futile to be willing to work. It is pure discrimination.”

(Participant from Leskovac)

“They give you a test because they know you are semi-literate, and of course you cannot do the job. They reject you in a ‘polite’ manner.”

(Participant from Leskovac)

“I went to Aptiv with my wife. I failed the test, I could not manage it, as I have impaired vision on one eye. They saw it was not working and told me to go outside, so I left.”

(Participant from Leskovac)

In Niš, a participant described efforts to secure employment for a child who had completed secondary education as a certified pastry chef:

“I have a child who finished secondary school as a pastry chef, with a certificate. Believe me, there is not a single place I have not visited in person or contacted. As soon as they see that I am Roma and that my child is Roma—there is absolute discrimination. They say, ‘we will call you’ and nothing happens.”

(Participant from Niš)

Other participants from Niš confirm the same pattern—job interviews lasting one minute and ending with false promises:

“I called a man 7–8 years ago; he said ‘we need workers! I came for the interview, walked in, and they simply looked at each other and said, ‘leave your number, we will call you.’ The interview lasted a minute. They never called me.”

(Participant from Niš)

“This will never stop; it has existed since the 19th century.”

(Participant from Niš)

6.2. Right to Social Protection and Non-Discrimination

The right to social protection guarantees that any individual in a situation of social need is entitled to assistance. The Social Card Law, which automatically terminates social assistance for individuals who engage in the sale of waste—the only activity available to them—effectively penalizes people for attempting to improve their circumstances through their own work. This is in direct contradiction to the very purpose of social protection.

The principle of non-discrimination requires that rights be guaranteed without distinction based on race, ethnicity, or any other protected ground. Where a policy—such as the implementation of the Social Card algorithm—has a disproportionately adverse impact on a particular ethnic group (in this case, Roma), it may constitute indirect discrimination, even in the absence of explicit discriminatory intent.

6.3. Right to Dignity

Above all, the position of secondary raw materials collectors is a matter of dignity. Decent work is a core concept of the International Labor Organization (ILO), encompassing the right to productive employment under conditions of freedom, equality, security, and dignity. Secondary raw materials collectors in Serbia are deprived of each of these elements.

7.

Conclusion and Recommendations

Collectors of secondary raw materials in Serbia are trapped in a vicious cycle generated by the system itself: they are excluded from the formal labor market due to discrimination and poverty; compelled to engage in informal activities as their only means of livelihood; penalized for these activities through municipal fines and the loss of social assistance; while the fear of sanctions prevents them from formalizing their work and escaping this cycle.

This cycle of poverty is not incidental. It is the result of policies designed without adequate consideration of the needs and rights of the most vulnerable, where references to modernization and alignment with EU standards are often invoked to justify restrictive solutions, despite the existence of models within EU Member States that recognize and integrate the work of individual collectors. The outcome is the systemic criminalization of poverty—a mechanism through which the poor are punished for their poverty, rather than enabled to overcome it.

Anti-Gypsyism constitutes a structural component of this system. Roma are disproportionately affected by these policies not only due to poverty, but also as a result of entrenched ethnic discrimination that systematically excludes them from the formal labor market, confines them to segregated settlements lacking adequate municipal infrastructure, and increases the risk of child labor at the expense of education. Policies that fail to address this structural dimension inevitably lead either to failure outright or to perpetuate existing patterns of inequality and discrimination.

When discussing solutions, collectors do not prioritize social assistance; rather they seek the right to decent work and adequate remuneration for the service they already provide to society. Their primary demand is the formalization of their work through integration into the local municipal system.

“Basically, we clean the city. But no one values that. You go out in the morning and come back in the evening—we clean the city all day. Why, for example, shouldn’t collectors receive some form of support from the municipal budget, have some kind of booklet, and revive a modest payment—wouldn’t that be good?”

(Participant from Leskovac)

“All the collectors in the city—there is a list, and everyone knows how it works—should be paid from the municipal budget because we clean the city... That waste is then recycled and sorted, so it should be compensated, since we are already doing this work.”

(Participant from Leskovac)

These findings indicate a willingness to formalize their work, but only on the condition that such formalization ensures legal certainty, adequate protection, and recognition of their economic contribution, rather than resulting in further penalization or deepening existential insecurity.

There are also examples of self-organization demonstrating that integration is feasible. The Republic Union of Secondary Raw Materials Collectors, established in Niš in 2011, was the first organization of its kind in Europe. The union advocated for strengthened solidarity, the inclusion of collectors in the development of local waste management plans, and the regulation of prices for secondary raw materials.



Improving the Position: What Is Feasible?

Amendment to the Social Card Law: Income derived from the sale of secondary raw materials should be excluded from the algorithm used to determine eligibility for social assistance, or a mechanism should be introduced to ensure that registered collection activities do not lead to the loss of benefits. The algorithm should be publicly accessible and subject to democratic oversight.

Amendment to the Law on Waste Management: The term “natural persons” should be reinstated within the definition of waste collectors, or a specific legal status of “registered individual collector” should be established.

Amendment to local municipal decisions: Provisions criminalizing the collection of waste from containers should be abolished or revised, alongside the introduction of mechanisms granting collectors legal access to waste.

Inclusion of collectors in policymaking: No model of formalization can succeed if developed without the active participation of collectors themselves. Experience from other countries demonstrate that a participatory approach is essential. Collectors should be involved in the design of policies affecting them at all levels, from local waste management plans to national social protection strategies.

Anti-Gypsyism is not merely a matter of individual attitudes; it is a systemic phenomenon reproduced through institutional practices. When municipal police impose fines on collectors for sorting waste from containers, when the Social Card algorithm removes families from social assistance registers due to the sale of paper, and when legislation eliminates natural persons from the definition of waste collectors—these are all manifestations of institutional anti-Gypsyism, which need not be overt or intentional to produce discriminatory effects. It is therefore essential that both society and institutions move away from penalizing poverty and instead prioritize the protection of dignity of the work performed by those at the very margins of society. Collectors of secondary raw materials are not a problem to be addressed; they are workers whose rights must be recognized and upheld.

