

In 2017, Montenegro made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government trained labor inspectors on forced child labor, and the Organization for Security and Co-operation in Europe and the Ministry of Interior organized seminars for police officers on labor trafficking, including for child victims. In addition, the Ministry of Interior's Office for the Fight Against Trafficking in Persons, in cooperation with UNICEF, launched standard operating procedures for the treatment of unaccompanied children, particularly for the identification of trafficking victims among this population. However, children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Victim identification remained an area requiring improvement in order for the government to combat human trafficking effectively. Research found no evidence of programs to systematically address child labor in street work, forced begging, or commercial sexual exploitation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1; 2; 3; 4; 5; 6; 7; 8) Table 1 provides key indicators on children's work and education in Montenegro.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	18.3 (77,591)
Attending School (%)	5 to 14	91.6
Combining Work and School (%)	7 to 14	19.9
Primary Completion Rate (%)		90.4

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2013. (10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Services	Street work, including vending small goods and begging (3; 11; 12; 13; 6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (4; 5; 7; 8)
	Forced begging, sometimes as a result of human trafficking (3; 5; 13; 7)
	Domestic work as a result of human trafficking (5; 14; 15)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Montenegro is a source, destination, and transit country for children trafficked for forced labor, including forced begging, especially among Roma children. (3; 5; 11; 13; 7; 8) Some Roma girls from Montenegro are sold into servile marriages in Montenegro and Kosovo, where they are also forced into domestic servitude. (5; 14; 15; 16) Children, especially girls, are trafficked for commercial sexual exploitation, internally and transnationally within the region and to Western Europe. (4; 5; 13; 17; 8)

Some Roma, Ashkali, and Egyptian children experience challenges in attaining birth registration, which sometimes makes school enrollment difficult, increasing their vulnerability to engage in child labor. (11; 12; 13; 17; 18; 19) The higher rate of unregistered

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children is mostly due to registration costs, parents' lack of awareness of the importance of registration, and parents' lack of identification documents. (19; 20) In addition, some children with disabilities, especially in rural areas, experience difficulty accessing education and have limited government social services available. (21; 22)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Montenegro has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 16 of the Labor Law (23)
Minimum Age for Hazardous Work	Yes	18	Article 17 of the Labor Law (23)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 104 and 106 of the Labor Law; Articles 7–8 of the Regulations on Measures of Protection in the Workplace (23; 24)
Prohibition of Forced Labor	Yes		Article 444 of the Criminal Code; Articles 28 and 63 of the Constitution (25; 26)
Prohibition of Child Trafficking	Yes		Articles 444–446 of the Criminal Code (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209–211 of the Criminal Code (26)
Prohibition of Using Children in Illicit Activities	Yes		Articles 300–301 of the Criminal Code (26)
Prohibition of Military Recruitment			
State Compulsory	N/A*		Articles 162–163 of the Law on the Armed Forces (27)
State Voluntary	Yes	18	Articles 162–163 of the Law on the Armed Forces (27)
Non-state	Yes		Article 444 of the Criminal Code (26)
Compulsory Education Age	Yes	15	Article 4 of the Law on Primary Education (28)
Free Public Education	Yes		Article 75 of the Constitution (25)

* No conscription (27)

The Code of Rules for Occupational Safety prescribes workplace protections and prohibits specific hazardous activities for children, including workplaces that would expose them to physical, biological, or chemical hazards. (3; 24)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Welfare (MLSW) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Inspectorate	Lead and monitor the enforcement of labor laws, including those that protect working children and working conditions throughout the country. (3; 20; 29; 30; 7) Part of the Inspectorate General. (31)
Police Directorate within the Ministry of Interior	Investigate and enforce criminal laws on forced labor and human trafficking for commercial sexual exploitation. (1; 29; 7) Coordinate law enforcement actions, including identification of victims of human trafficking. (1; 7) Prevent and investigate child begging by removing child beggars from the streets through the Beggar Task Force. (8)
Supreme State Prosecutor	Collect data on the number of police investigations, convictions, and court rulings, and submit them to the Office of the National Anti-Trafficking Coordinator (Human Trafficking Office). (1; 7)
Ministry of Justice	Enforce the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse. (30)
Ministry of Labor and Social Welfare (MLSW)	Protect children and families by providing social, child, and family protection in its Social Welfare Centers. Identify potential victims of human trafficking. (1; 7)
Ombudsman's Deputy for the Rights of the Child	Monitor the situation of children, using strategies such as visiting schools and institutions, holding focus groups, maintaining e-mail hotlines, and writing blogs for children. (29; 7)

Labor Law Enforcement

In 2017, labor law enforcement agencies in Montenegro took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSW that may hinder adequate labor law enforcement, including financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	\$537,558 (31)	\$579,532 (32)
Number of Labor Inspectors	35 (6)	33‡ (7)
Inspectorate Authorized to Assess Penalties	Yes (33)	Yes (7)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (34)	Yes (7)
Training on New Laws Related to Child Labor	Yes (6)	N/A (7)
Refresher Courses Provided	Yes (14)	Yes (7)
Number of Labor Inspections Conducted	10,063 (34)	8,280‡ (7)
Number Conducted at Worksites	10,063 (34)	8,280‡ (7)
Number of Child Labor Violations Found	12 (6)	40‡ (7)
Number of Child Labor Violations for Which Penalties were Imposed	12 (6)	15‡ (7)
Number of Child Labor Penalties Imposed that were Collected	12 (6)	15‡ (7)
Routine Inspections Conducted	Yes (33)	Yes (7)
Routine Inspections Targeted	Yes (33)	Yes (7)
Unannounced Inspections Permitted	Yes (33)	Yes (7)
Unannounced Inspections Conducted	Yes (33)	Yes (7)
Complaint Mechanism Exists	Yes (33)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (33)	Yes (7)

‡ Data are from January 2017 to November 2017.

The Labor Inspectorate has 14 offices that proactively plan labor inspections, with an increase in inspections during the summer tourist seasons in specific sectors, such as trade and catering. (3; 20; 33; 7) Children found during inspections can be sent to Social Welfare Centers (SWCs) and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (33; 7) There are 24 labor inspectors that cover employment relations and 8 that cover health safety issues at work. All inspectors monitor the enforcement of child labor. (33; 7) The government maintains a database on children involved in begging but does not collect or publish data on the worst forms of child labor. (29; 35)

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During the reporting period, 12 labor inspectors received training on forced child labor from the Ministry of Interior's Office for the Fight Against Trafficking in Persons (OFTIP). (7; 8; 32; 31) While the Labor Inspectorate deemed funding adequate for 2017, they stated that their offices were in poor condition and the number of inspectors was insufficient; however, the Labor Inspectorate plans to hire additional employees. (7; 31)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in Montenegro took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	N/A (34)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (33)	N/A (7)
Refresher Courses Provided	Yes (14)	Yes (7)
Number of Investigations	73 (33)	78‡ (7)
Number of Violations Found	34 (33)	53‡ (7)
Number of Prosecutions Initiated	0 (33)	2‡ (7; 31)
Number of Convictions	0 (33)	0‡ (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (33)	Yes (7)

‡ Data are from January 2017 to November 2017.

A three-member police unit investigates human trafficking and advises local police. Police investigate children working on the street, and those who are found begging or require social assistance can be accommodated in a public institution called "Ljubovic" for up to 30 days while parents are located. (3; 33; 7) When parents are not available, children are referred to local SWCs. (36)

In 2017, four police officers received training on human trafficking, including on the worst forms of child labor. (7) The Organization for Security and Co-operation in Europe and the OFTIP organized training seminars for 44 police officers on human trafficking for labor exploitation, including child victims. In addition, students of the police academy received trainings. (7) However, continuous victim identification training is needed for the police, judiciary, and prosecutors. (8) In addition, while two people were prosecuted for the sexual exploitation of a minor, gaps remain in prosecutions, including increasing the number of convictions. (5; 31)

In 2017, 65 child beggars were sent to SWCs. (7) Also during the reporting period, police continued to operate the Beggar Task Force, which is focused on removing child beggars from the streets. (8) However, the Ombudsman for Human Rights has criticized the police and the SWCs for insufficiently and inconsistently tracking information on children found begging in Montenegro. (14; 32) Children were often treated as delinquents rather than victims, the SWCs provided services to only a minority of Montenegrin children found begging, and there was a lack of specialized societal reintegration services for them. (29; 32)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role and Description
Office of the National Anti-Trafficking Coordinator (Human Trafficking Office)	Coordinate efforts, projects, and legislation against trafficking in persons and the worst forms of child labor among relevant government institutions and international organizations. (7) Collect and maintain data on investigations and court rulings. A task force monitors and promotes activities related to combating human trafficking, and assesses progress of objectives established in action plans. (7) Includes government representatives, NGOs, and international organizations. (7) Active in 2017. (7)

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role and Description
Council for the Rights of the Child	Implement and monitor the National Plan for Children 2013–2017 and the government’s commitments pursuant to the UN CRC, and initiate adoption of legislation to promote and protect the rights of children. Chaired by the MLSW and has 12 other members. (2; 34; 37; 7) It met twice in 2017. (7)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action for Children (2013–2017)	Defined and protected children and children’s rights. (29; 34) Outlined a strategy to fulfill UN CRC obligations. Goals included preventing hazardous and exploitative child labor and child trafficking, increasing birth registration, ensuring inclusive education, and improving social services for street children. (37) Monitored and reported yearly progress. (6)
Strategy for the Social Inclusion of Roma and Egyptians (2016–2020)	Aims to create social inclusion of Roma and Egyptians by increasing school attendance and birth registration, and preventing child begging and human trafficking. Implemented by the Ministry for Minority and Human Rights. (38)
Guidelines for the Treatment of Unaccompanied Minors	Provides accommodation, protection, and rehabilitation for minors and other vulnerable groups. Implemented by the MLSW. (39; 40)
National Strategy for Combating Human Trafficking (2012–2018)	Outlines objectives for combating human trafficking by raising public awareness, strengthening the capacity for victim identification and service provision, improving interagency coordination, and raising the efficiency of prosecutions. (21; 41) The strategy and yearly action plan are evaluated and adopted through reports prepared through government and civil society collaboration. (21) Active in 2017. (31)
Strategy for the Development of Social and Child Protection (2013–2017)	Built an integrated social and child protection system, including monthly social assistance, health care, and a child allowance that is conditional on school attendance. (42; 43)

The government has not included child labor elimination and prevention strategies in the Strategy for the Development of Social and Child Protection. (44; 32) Research could not determine whether the National Plan of Action for Children and the Strategy for the Development of Social and Child Protection were active in 2017. (32; 31)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Social Welfare and Child Care System Reform: Enhancing Social Inclusion (2013–2017)†	\$4.5 million, 4-year project sponsored by the Ministry of Education and the MLSW. Implemented by the government, the UNDP, and UNICEF to strengthen protection for children under the Strategy for the Development of Social and Child Protection, including inclusive education and childcare system reform. (35; 42)
UNICEF Country Program (2016–2021)	Addresses access to social services for children, synchronizes the legal framework with EU and UN standards, implements and monitors policies relevant to children, and applies the principles of the UN CRC. (14)
Development of Standard Operating Procedures for the Treatment of Children Deprived of Parents or Unaccompanied*	Implemented by the Ministry of Interior’s Human Trafficking Office and UNICEF. (8) Goals include standardizing procedures among all relevant institutions for dealing with unaccompanied children and children separated from parents, ensuring compliance with both international and national laws for children. (45) Includes procedures on identifying, accommodating, and integrating the children. (45)
Shelter for Victims of Human Trafficking, Forced Begging, and Forced Marriages†	Run by the NGO Montenegrin Women’s Lobby and the government, and provides accommodations for children who are separated from adults and victims of forced begging and forced marriages. (33) Continued to operate in 2017. (7)

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Table 10. Key Social Programs to Address Child Labor‡ (cont)

Program	Description
Hotline for Victims of Human Trafficking	SOS Hotline† funded by the Human Trafficking Office and run by the NGO Montenegrin Women’s Lobby. Provides advice, connects victims with service providers, and raises public awareness. (1; 21) Received 476 calls in 2017. (8)

* Program was launched during the reporting period.

† Program is funded by the Government of Montenegro.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (8)

Research could not determine whether the Social Welfare and Child Care System Reform program was active in 2017. (31)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Montenegro (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Consistently track and publish information about children involved in the worst forms of child labor.	2017
	Improve the condition of facilities used for labor law enforcement.	2017
	Provide continuous victims identification training to police, judiciary, and prosecutors.	2017
	Increase the number of convictions and prosecutions of perpetrators involved in commercial sexual exploitation.	2017
	Ensure that all children removed from begging are treated as victims and are provided with social services to prevent reentry into street work.	2012 – 2017
Government Policies	Integrate child labor elimination and prevention strategies into national policies for all children, including in the Strategy for the Development of Social and Child Protection.	2013 – 2017
	Ensure that all child labor-related government policies fulfill their mandated implementation obligations.	2016 – 2017
Social Programs	Make additional efforts to register children from the Ashkali, Egyptian, and Roma communities.	2012 – 2017
	Build the capacity of schools and other services and programs to accommodate and provide services to children with disabilities.	2015 – 2017
	Ensure that the Social Welfare and Child Care System Reform program is active.	2016 – 2017

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